ACTS
AND
STATUTES,
MADE

In a PARLIAMENT begun at *Dublin*, the Twenty-ſecond Day of *October*, *Anno Dom.* 1761, in the Firſt Year of the Reign of our Moſt Gracious Sovereign Lord King *GEORGE* the Third.

BEFORE

His Excellency *Dunk* Earl of *Halifax*, Lord Lieutenant General and General Governor of *Ireland*.

And continued under His Excellency *Hugh* Earl of *Northumberland*, Lord Lieutenant General and General Governor of *Ireland*, by ſeveral Prorogations, until the Eleventh Day of *October*, 1763.

And further continued under His Excellency *Thomas* Lord Viſcount *Weymouth*, Lord Lieutenant General and General Governor of *Ireland*.

As alſo under His Excellency *Francis* Earl of *Hertford*, Lord Lieutenant General and General Governor of *Ireland*, by ſeveral Prorogations, until the Twenty-ſecond Day of *October*, 1765. Being the Third Seſſion of this preſent PARLIAMENT.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLVI.

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MVSEVM
BRITAN
NICVM

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AN

ACT

FOR

Granting to His Majesty an Additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; and for prohibiting the Importation of all Gold and Silver Lace, (except of the Manufacture of *Great Britain.*)

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AN

ACT

FOR

Granting to His Majesty an Additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; and for prohibiting the Importation of all Gold and Silver Lace, (except of the Manufacture of *Great Britain*.)

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WE Your Majesty's most dutiful and loyal Subjects, the Commons of Ireland in Parliament assembled, having a just Sense of Your Royal Care for the Prosperity of all Your Subjects, and well knowing that the Security

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of this Your Realm, and the Continuance of the many Bleſſings we enjoy under Your Majeſty's mild and auſpicious Reign, depend on the Support of Your Majeſty's Government, do moſt humbly beſeech Your Majeſty that it may be Enacted, and be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, until the Twenty fifth Day of December which ſhall be in the Year One thouſand ſeven hundred and ſixty ſeven inclusive, and no longer, there ſhall be throughout Your Majeſty's Kingdom of Ireland, granted, raiſed, collected, levied, and paid to Your Majeſty, Your Heirs and Succeſſors, the ſeveral Rates, Additional Duties and Impoſitions herein after mentioned (that is to ſay) For and upon every Thirty two Gallons of Beer or Ale above the Price of Six Shillings the Barrel, brewed within this Kingdom by any common Brewer, or in his Veſſels, or by any other Perſon or Perſons, who doth or do, or ſhall ſell or tap out Beer or Ale publickly or pri-

vately

vately the Sum of Two Shillings, to be paid by the common Brewer, or by such other Person or Persons respectively, who shall brew, sell, or tap out the same, and so proportionably for a greater or lesser Quantity; And for every thirty two Gallons of Beer or Ale of the Price of six Shillings the Barrel, or under, brewed within this Kingdom by any common Brewer, or in his Vessels, or by any other Person or Persons who doth or do, or shall sell or tap out Beer or Ale publickly or privately, the Sum of Four Pence, to be paid by the common Brewer, or such other Person or Persons respectively, who shall brew, sell or tap out the same during the Time aforesaid, and so proportionably for a greater or lesser Quantity; For every Gallon of Aqua-vitæ, Strong-Waters or Spirits made or distilled within this Kingdom for Sale, the Sum of Four Pence, to be paid by the first Maker or Distiller thereof during the Time aforesaid; For every Pound Weight of Tobacco that shall be imported during the Time aforesaid into this Kingdom, the Sum of Three Pence half-penny; For every Yard of Muslin that shall be imported into this Kingdom during the Time aforesaid, the Sum of Six Pence; For every Yard of all Sorts of Silks and Stuffs

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for and upon every Pound Weight of Coffee, Chocolate, and Cocoa Nuts, that shall be imported into this Kingdom during the Time aforesaid, the Sum of Three Pence; An Additional Duty of Twenty Shillings Sterling on every Hundred Weight of Molasses; An Additional Duty of Twenty Shillings Sterling on every Hundred Weight of Treacle; An Additional Duty of Six Pence per Yard for and upon all Foreign Stuffs, called Romalls, and all Manufactures made of Cotton, or of Cotton and Linen mixed, whether plain, printed or stained, which shall be imported into this Kingdom during the Time aforesaid, from any Parts beyond the Seas (except the Manufacture of Great Britain;) An Additional Duty of Six Pence per Yard for and upon all Cambricks (not of the Manufacture of Great Britain) which shall be imported into this Kingdom during the Time aforesaid, exceeding one Yard wide; An Additional Duty of Three Pence per Yard for and upon all Cambricks and Lawns (not of the Manufacture of Great Britain) which shall be imported into this Kingdom during the Time aforesaid; and also a further Additional Duty of Three Pence per Yard for and upon all Cambricks and Lawns (not of the Manufac-

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ture of Great Britain) which ſhall be imported into this Kingdom during the Time aforeſaid; An Additional Duty of Six Pence per Hide, for and upon every raw and untanned Hide which ſhall be exported out of this Kingdom to Parts beyond the Seas (except to Great Britain) during the Time aforeſaid; An Additional Duty of One Shilling for every Rheam of Paper which ſhall be imported into this Kingdom during the Time aforeſaid, (except of the Manufacture of Great Britain) Provided ſuch Paper exceeds Five Shillings in Value per Rheam.

And be it further Enacted by the Authority aforeſaid, That all and Singular the ſaid Duties and Impoſitions hereby granted, ſhall be raiſed, levied, collected, and paid unto Your Majeſty, Your Heirs and Succeſſors, during the Time aforeſaid, over and above all other Duties Payable for the ſame, by Virtue of An Act made in this Kingdom in the fourteenth and fifteenth Years of the Reign of King Charles the Second, Intitled, An Act for the Settling the Exciſe or new Impoſt, upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted; or by Virtue of one other Act made in the fourteenth and fifteenth

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teenth Years of the Reign of the said King Charles the Second, Intitled, An Act for Settling the Subsidy of Poundage, and granting a Subsidy of Tunnage, and other Sums of Money unto His Royal Majesty, His Heirs and Successors, the same to be paid upon Merchandizes imported and exported into or out of the Kingdom of *Ireland*, according to the Book of Rates hereunto annexed.

Provided allways, and be it Enacted by the Authority aforesaid, That if the said Wines, Strong Waters, Spirits perfectly made, and Spirits made and distilled of Wine and Brandy or Spirits above the Quality of Single Spirits, upon which the said additional Duties are Charged, shall after payment thereof, or Security given for the same, be again exported by any Merchant or Merchants, that is or are a Subject or Subjects of this Realm, or any other of Your Majesty's Dominions, within Twenty Four Kalendar Months, or by Merchant Strangers within Twelve Kalendar Months after the Importation thereof, and due Proof first made, by Certificate from the Proper Officer, of the due Entry of such Wines, Strong Waters, Spirits perfectly made, and Spirits made and Distilled of Wine, Brandy, or Spirits above the

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Quality of ſingle Spirits, and of the Payment of the ſaid Additional Duties hereby granted and Charged thereon, or Security being given for the ſame, and that all other Requiſites have been performed, which are by Law required to be performed in Caſes where the Duties of Exciſe are to be repaid by Virtue of the before mentioned Act, Intituled, An Act for the Settling the Exciſe or new Impoſt upon his Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted; that then the ſaid additional Duties ſhall, without any Delay or Reward, be paid or allowed unto ſuch Merchant or Merchants ſo Exporting the ſame, within one Month after Demand thereof, or the Security for the ſaid additional Duties by this Act charged ſhall be vacated or diſcharged, as to ſo much thereof as ſhall be ſo exported; any thing herein contained to the contrary notwithſtanding.

And be it further Enacted by the Authority aforeſaid, That the Additional Rates and Duties hereby granted and impoſed on Coffee, Tea, Chocolate, and Cocoa Nuts, and all Monies ariſing thereby, ſhall be Paid to the Truſtees appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom,

dom, to be by them applied to Encourage and Support the said Manufactures and the Trade thereof in this Kingdom; and that the said additional Duties on raw and untanned Hides, and all Money arising thereby shall be paid to the said Trustees, to be by them applied towards Encouraging the raising of Flax Seed in this Kingdom; and that the said last mentioned further additional Duty of Three Pence per Yard upon all Cambricks and Lawns, and all Money arising thereby, shall be paid and applied to the use of the Governor and Company, for carrying on the Cambrick Manufacture in Dundalk, or elsewhere in this Kingdom. CHAP. I.

And be it further Enacted by the Authority aforesaid, That all and every the several and respective additional Duties hereby granted, shall be raised, answered, collected and paid unto Your Majesty, Your Heirs and Successors, during the Term aforesaid, at the same Time, in like Manner, and by such Ways, Means and Methods, and by such Rules and Directions, and under such Penalties and Forfeitures, and with such Powers as are appointed, directed and expressed, in and by the said Act made in this Kingdom, in the

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And be it further Enacted by the Authority aforeſaid, That the Six Pence per Pound, and all other Fees which ſhall or may be Payable to the Vice Treaſurer or Vice Treaſurers, Paymaſter or Receiver General of this Kingdom, upon iſſuing or Payment of any Sum or Sums of Money which ſhall or may ariſe out of the Aids granted this Seſſion of Parliament, or upon iſſuing or Payment of any Sum or Sums of Money which ſhall or may be borrowed purſuant to any Act of Parliament, or Vote of Credit this Seſſion of Parlia-

Parliament, shall be received by the said Vice-Treasurer or Vice-Treasurers, Receiver or Paymaster General, for the Use of Your Majesty, Your Heirs and Successors during the Term aforesaid, and shall be duly accounted for by him or them to Your Majesty, Your Heirs and Successors, as a further and additional Aid hereby given and granted.

And be it further Enacted by the Authority aforesaid, That the several Sums hereinafter mentioned be paid out of the aforesaid Additional Duties and Aids granted to Your Majesty by this present Act, to the Persons hereinafter mentioned, (that is to say) the Sum of Two Thousand Pounds per Annum for two Years, from the Twenty Fifth Day of December One thousand seven hundred and sixty five, to the Twenty Fifth Day of December One thousand seven hundred and sixty seven inclusive, to the Trustees appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for Encouraging and Raising sufficient Quantities of Hemp and Flax in this Kingdom; And also the further Sum of Two Thousand Pounds per Annum, for Two Years, from the Twenty Fifth Day of December One thousand seven hundred

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and ſixty five, to the ſaid Twenty Fifth Day of December One thouſand ſeven hundred and ſixty ſeven inclusive, to the ſaid Truſtees appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for the Encouragement of the ſaid Hempen and Flaxen Manufactures in the Provinces of Leinſter, Munſter and Connaught, freed and diſcharged from the Payment of Six Pence per Pound, and all other Fees which ſhall or may be payable to the Vice-Treaſurer or Vice-Treaſurers, Receiver or Pay-Maſter General of this Kingdom, Clerk of the Pells, or any other Officer or Officers of this Kingdom; The Sum of Four Thouſand Pounds to the Right Honourable the Speaker of the Houſe of Commons, to enable him to maintain the State and Dignity of his Office; The Sum of Five Hundred Pounds to Agmondiſham and George Veſey Eſquires, Accomptant-General, as a Reward for their Expence and Trouble in preparing and ſtating the publick Accounts of the Nation, laid before the Houſe of Commons this Seſſion of Parliament; The Sum of Five Hundred Pounds to Edward Sterling and Henry Alcock Eſquires, Clerks of the Houſe of Commons, as a Reward for their Attendance and Service this Seſſion of Parliament;

ment; The Sum of Two Hundred Pounds to Anthony Sterling Clerk Assistant, as a Reward for his Attendance and Service this Session of Parliament; The Sum of Six Hundred Pounds to James Bailie Esquire, Serjeant at Arms, as a Reward for his Attendance and Service this Session of Parliament; The Sum of Three Hundred and Fifty Pounds to Benjamin Higgins and James Brown, the Clerks Attending the Committee of Accounts, and the other Committees of the House of Commons, as a Reward for their Attendance and Service this Session of Parliament, to be equally divided between them; The further Sum of Fifty Pounds to the said Benjamin Higgins and James Brown, for their extraordinary Trouble in attending the Committee appointed to enquire into the Expenditure of Money granted for Publick Works in the last Session of Parliament; The Sum of One Hundred and Twelve Pounds to Abraham Bradley, for printing the Publick Accounts laid before the House of Commons this Session of Parliament; The Sum of Fifty Pounds to Hulton Bradley, as a Reward for his Trouble and Attendance in Delivering the Votes to the Members of the House of Commons this Session of Parliament; The Sum of Eighty Pounds to

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James Savage and Thomas Gilmore, Door-Keepers to the House of Commons, as a Reward for their Attendance and Service this Session of Parliament, to be equally divided between them; The Sum of One Hundred and Fifty Pounds to the Right Honourable the Speaker of the House of Commons, to be by him divided amongst the Back Door-Keepers and Messengers attending this House, being thirteen in Number, in such Manner as he shall direct; The Sum of Three hundred Pounds to Godfrey Lill, Esquire, as a Reward for his Expence and Trouble in preparing and making out the Accounts of Imports and Exports for Two Years, ending the Twenty fifth of March One thousand seven hundred and sixty five, pursuant to the Order of the House of Commons; The Sum of Three Hundred and Seventy five Pounds to Mr. William Horton, as a Reward for his Trouble and Expence in keeping regular Accounts of the respective Quantities of Corn and Flour brought to the City of Dublin by Land Carriage for Seven Years and a Half last past; The Sum of Three Thousand Seven Hundred and Fifty Two Pounds to Thomas Eyre and George Hamilton, Esquires, the Trustees appointed for erecting a new Pier at Ballbriggen, to reimburse

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burſe them the Money they have advanted in the Execution of the ſaid Work, and for finiſhing the ſame, according to a Plan laid before the Houſe of Commons, upon their giving ſufficient Security by Recognizance before One of the Barons of the Court of Exchequer, for their compleating the ſaid Work before the Twenty fifth Day of December One thouſand ſeven hundred and ſixty ſeven; The Sum of Four Thouſand Pounds to the Corporation for promoting and carrying on an Inland Navigation in Ireland, towards making the River Lagan navigable, and opening a Paſſage by Water from Lough Neagh to the Town of Belfaſt, to be accounted for to Parliament; The Sum of Two Thouſand Four Hundred and Fourteen Pounds and Eleven Pence to Ralph Howard and William Tighe, Eſquires, to be by them applied for compleating and finiſhing the Harbour of Wicklow, upon their entering into Security by Recognizance before One of the Barons of the Court of Exchequer, to compleat and finiſh the ſame before the Twenty fifth Day of December One Thouſand ſeven hundred and ſixty ſeven; The Sum of Twelve Thouſand Pounds to the Incorporated Society for promoting Engliſh Proteſtant Schools in this King-

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dom, to be by them accounted for to Parliament; The Sum of Three Thouſand Pounds to the Commiſſioners for carrying on the Inland Navigations of this Kingdom, to be by them applied towards carrying on the Navigation of the River Nore, and to be accounted for to Parliament; The Sum of Three Thouſand Pounds to the Corporation for carrying on the Inland Navigations of this Kingdom, to be by them applied towards carrying on the Navigation of the River Barrow, to be accounted for to Parliament; The Sum of Two Thouſand five Hundred Pounds to the Commiſſioners appointed by an Act of Parliament made in the Thirty firſt Year of his late Majeſty's Reign, for executing the ſeveral Works therein mentioned, in the City of Limerick, or to any ſeven of them, to enable them to continue the Neſh Quays in the ſaid City, according to the Plan laid before the Houſe of Commons this Seſſion, and to be by them accounted for to Parliament, upon Seven or more of the ſaid Commiſſioners entering into Security by Recognizance before One of the Barons of the Court of Exchequer, or One of the Judges of the Court of King's Bench or Common Pleas, to compleat and finiſh the ſaid Work before

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fore the Twenty fifth Day of December One thousand seven hundred and sixty seven; The Sum of Two Thousand Four Hundred and Ninety Seven Pounds Three Shillings and Three Pence One Farthing, and a further Sum of Four Thousand Two Hundred and Fifty Three Pounds Three Shillings and Ten Pence, making in the Whole the Sum of Six Thousand Seven Hundred and Fifty Pounds Seven Shillings and One Penny One Farthing, to the Governors of the Workhouse, to be by them applied to discharge Debts contracted by them on Account of that Charity; The Sum of Four Thousand Pounds to the Corporation of the City of Dublin, for the carrying on the Ballast Office Wall in the Harbour of Dublin, and for the discharging a Debt of one Thousand Six Hundred and Forty Six Pounds Sixteen Shillings, contracted by them for carrying on the said Work since the last Session of Parliament; The Sum of One Thousand Pounds to the Governors of St. Patrick's Hospital, towards enabling them to receive a greater Number of Patients; The Sum of Two Thousand Pounds to the Dublin Society, to enable them in a more ample Manner to promote and Encourage Agriculture, Arts and Manufactures

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by Premiums and Bounties; The Sum of Eight Thousand Pounds to the Dublin Society, to be by them applied for the Encouragement of such Trades and Manufactures, and in such Manner, and Subject to such Regulations, as shall be directed by Parliament; The Sum of Two Thousand Pounds to the Governors and Guardians of the Hospital for the Relief of poor Lying-in-Women in Dublin, to enable them to finish their large Room now Building, and to improve and extend that useful Charity; The Sum of One Thousand One Hundred and Fifty Four Pounds Twelve shillings and Five Pence to the Corporation for Promoting and Carrying on an Inland Navigation in Ireland, to be by them expended in Discharging the Debts Due by the Commissioners for that Part of the Navigation from Drumglass Colliery in the County of Tyrone, to Fatham Point near Newry, which was finished last Summer, and which was accounted for to Parliament; The Sum of Five Thousand Pounds to the Corporation for Promoting and carrying on an Inland Navigation in Ireland, to be by them expended towards Carrying on an Inland Navigation from Drumglass Colliery, to the Colliery Balon in the County

of

of Tyrone, to be by them accounted for to Parliament; The Sum of Three Thousand Pounds to William Parks, Esquire Mayor, and Roland and Wilcox, Sheriffs of the City of Cork, John Smith, Francis Roland, William Colles, Esquires, Mr. James Morrison, Mr. William Fitton, Alderman Bradshaw, George Percy, Esquire, Messieurs James and Paul Benson, Messieurs Joseph Devonshire, Thomas Strettle, Christopher Carleton, Hugh Lawton and Francis Carleton, Stephen Dunroche, Peter Cambridge, John Digby and Francis Gray, Merchants, and James Harnet, or any Five of them, towards cleansing and improving the Channel of Cork Harbour, from the Custom House Quay to a place called Black Rock, to be accounted for to Parliament, and that the Mayor and Sheriffs of the said City for the Time being, shall also be Trustees for carrying on the said Work; The Sum of Three Thousand Pounds to the Corporation for Promoting and Carrying on an Inland Navigation in Ireland towards making the River Shannon Navigable, from the Lands of Rebouge near the City of Limerick, to the Town of Killaloe, to be by them accounted for to Parliament; The Sum of Five Hundred Pounds to the Commissioners for carry-

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ing on the Inland Navigations of this Kingdom, to be by them applied towards compleating and finiſhing John's Bridge in the City of Kilkenny, and for Purchaſing the Ground to procure proper Paſſages to the ſaid Bridge of the John's Street Side, to be accounted for to Parliament; The Sum of One Thouſand Six Hundred Pounds to the Right Honourable Francis Andrews, Eſquire, towards Widening and making an Addition to the Ship Quay of Londonderry, to be accounted for to Parliament; The Sum of One Thouſand Two Hundred Pounds to John Blackwood, Eſquire, to erect a Pier at Killileagh, in the Barony of Dufferin in the County of Down; the ſaid John Blackwood giving Security by Recognizance, before one of the Barons of the Exchequer, for the Execution of the ſaid Work, and that no further Sum ſhall be requeſted from Parliament for compleating the ſame; The Sum of One Thouſand Five Hundred Pounds to John Lyon, Eſquire, Mayor of the City of Waterford, Samuel Barker, Shapland Carew, William Alcock and Henry Alcock, Eſquires, William Dobbin, Henry Alcock, Cornelius Bolton, Simon Newport and George Backas, Aldermen, and Mr. Hans Wallace, or to any Seven of them, towards clearing and making

making deeper by Six Feet the Ford in the River of Waterford from the little Island to the oppolite Shore on the Kilkenny Side, to be by them accounted for to Parliament; The Sum of One Thousand Five Hundred Pounds to Thomas Eyre and George Martin, Esquires, to finish and compleat the Head of the Piet of Dunleary, to be accounted for to Parliament; The Sum of Seven Thousand Eight Hundred and Ninety Pounds to the Corporation of the City of Dublin, to Reimburse them the said Sum in part expended by them, and for the Remainder of which they stand engaged for the carrying on the Inland Navigation from Dublin to Ballyfarnham; The Sum of one Thousand Three Hundred and Fifty Nine Pounds to the Honourable Hungerford Skeffington and Samuel Briſtow, Esquires, to be by them applied to make the River called the Six Mile Water Navigable, from the Town of Antrim, to Lough Neagh, to be accounted for to Parliament, upon their entring into Security by Recognizance before One of the Barons of the Exchequer to compleat and finish the said Work, before the Twenty Fifth Day of December, One Thousand Seven Hundred and Sixty Seven; The Sum of One Thousand Pounds to Mau-

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rice Fitzgerald, Eſquire, towards making a Quay for Ships in the Town of Dingle, he giving Security to compleat the ſame, and to advance out of his own private Fortune what ſhall be neceſſary, over and above the ſaid Sum, to compleat the ſame according to an Eſtimate made thereof, amounting to the Sum of Two Thouſand Three Hundred Pounds, annexed to the Petition of the Sovereign, Burgeſſes, and Freemen of the ſaid Town of Dingle, and that the ſaid Quay ſhall be compleated without any further Aid of Parliament; The Sum of Four Thouſand Pounds to the Honourable John Lyſaght and Richard Townſend, Eſquires, Knights of the Shire for the County of Cork, and to the Repreſentatives in Parliament of the City and ſeveral Boroughs in the ſaid County, or any Five of them, to be by them applied in Aid of the ſaid County, towards rebuilding and repairing the Bridges deſtroyed or damaged by the late extraordinary Floods in that County, to be accounted for to Parliament; The Sum of Two Thouſand Pounds to Theophilus Jones, Eſquire, to enable him to Open and effectually Work the Colliery of Munterkenny, in the County of Leitrim, and to make a Waggon Way to Lough Allen, and

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a Quay agreeable to an Eſtimate laid before the Committee of Expenditure, he entring into a Recognizance before One of the Barons of the Exchequer, to compleat and finiſh the ſame before the Twenty Fifth Day of December, One Thouſand Seven Hundred and Sixty Seven; The Sum of Six Hundred Pounds to Sir Kildare Dixon Burrowes, Baronet, and Arthur Pomeroy, Eſquire, Knights of the Shire for the County of Kildare, to be by them, or either of them, applied in Aid of the ſaid County, to repair and finiſh the Two Bridges of Harriſtown and Kilcullen, over the River Liffy in ſaid County, in ſuch Proportion as the Neceſſities of each Bridge may appear to them, or either of them, to require to be accountable to Parliament; The Sum of Three Thouſand Pounds to His Grace the Lord Primate, the Right Honourable Lord Beauchamp, the Right Honourable Nathaniel Clements, Lieutenant General O'Brien Dilkes, Major General Edward Sandford, Colonel John Pomeroy, Colonel Robert Cunningham and Colonel James Giſborne, or any Three of them, to be applied in building an Hoſpital for the Reception of the Children of Soldiers, and in finiſhing the ſame, to be accounted for to Parliament; The Sum of Two Thouſand Pounds to the Lord High Chancellor, and the Chief Judges of the

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Four Courts, to be expended in Building a Marſhalſea for the Reception and Security of Priſoners, according to the Plan and Eſtimate for that Purpoſe laid before the Committee of Expenditure; The Sum of One Thouſand Three Hundred Pounds to the Right Honourable Benjamin Burton, Owen Wynne, Charles O'Hara and William Ormſby, Eſquires, or any Two of them, to be by them applied to Erect, Compleat and Finiſh a Pier at the Oyſter Iſland at the Entrance of the Harbour of Sligoe, upon their or any Two of them entring into a Recognizance, before one of the Barons of the Exchequer, to compleat and finiſh the ſame, before the Twenty Fifth Day of December, One Thouſand Seven Hundred and Sixty Seven; The Sum of Two Thouſand Five Hundred Pounds to Edward Sterling, Eſquire, in part of a Sum demanded for Printing and Binding an Appendix to the Journals of the Houſe of Commons, and the Twelfth and Thirteenth Volumes of the ſaid Journals for the Uſe of the Members; The Sum of Four Hundred and Seventy Six Pounds to the Sovereign, Bailiffs, Burgeſſes and Freemen of Athlone, and to the Miniſter and Church-Wardens of the ſaid Pariſh, to be by them applied to new Roof and effectually

fectually repair the Parish Church in the said Town, to be by them accounted for to Parliament. CHAP. I.

And be it further Enacted by the Authority aforesaid, That no Gold or Silver Lace whatsoever (except of the Manufacture of Great Britain) shall from and after the Twenty Fifth Day of December, One Thousand Seven Hundred and Sixty Five, be imported into this Kingdom in any Ship or Vessel whatsoever, under the Penalty of the Forfeiture of all such Lace, and Treble the Value thereof, and the Ship or Vessel in which the same shall be imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel; One Moiety of which Forfeitures shall be and remain to Your Majesty, Your Heirs and Successors, and the other Moiety to him or them, who shall seize and sue for the same, by Action, Bill, Plaint or Information, in the Court of Exchequer, wherein no Wager of Law, Protection, Essoign or other Dilatory Plea shall be allowed

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AN

ACT

FOR

Granting to His Majeſty the ſeveral Duties, Rates, and Impoſitions therein expreſſed, to be applied to pay an Intereſt at the Rate of Four Pounds *per Centum per Annum*, for the Sums therein provided for, and towards the Diſcharge of the ſaid Principal Sums.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

Granting to His Majeſty the ſeveral Duties, Rates, and Impoſitions therein expreſſed, to be applied to pay an Intereſt at the Rate of Four Pounds *per Centum per Annum*, for the Sums therein provided for, and towards the Diſcharge of the ſaid Principal Sums.

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WHEREAS by an Act of Parliament made and paſſed in the Third Year of Your Majeſty's Reign, intitled, An Act for granting to His Majeſty the ſeveral Duties, Rates, and Impoſitions therein expreſſed, to be applied to pay

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an Intereſt at the Rate of Four Pounds *per Centum per Annum*, for Part of the Sums therein provided for, and an Intereſt at the Rate of Five Pounds *per Centum per Annum*, for the Reſidue of the Sums therein alſo provided for, and towards the Diſcharge of the ſaid Principal Sums; **ſeveral Aids and Additional Duties were granted to Your Majeſty, Your Heirs and Succeſſors, from the Twenty fifth Day of** December **One thouſand ſeven hundred and ſixty three, until the Twenty fifth Day of** December **One thouſand ſeven hundred and ſixty five inclusive, to pay an Intereſt for the Sum of Three hundred and fifty thouſand Pounds, Part of the Sum of Five hundred and fifty thouſand Pounds, in the ſaid Act particularly recited, after the Rate of Four Pounds** per Centum per Annum, **and to pay an Intereſt for the Sum of Two hundred thouſand Pounds, Part alſo of the ſaid Sum of Five hundred and fifty thouſand Pounds, after the Rate of Five Pounds** per Centum per Annum, **from the ſaid Twenty fifth Day of** December **One thouſand ſeven hundred and ſixty three, and to pay an Intereſt for the Sum of One hundred thouſand Pounds, Part of a Sum of Six hundred and fifty thouſand Pounds, in the ſaid recited Act alſo particularly mentioned, which ſaid Sum**

of

of One hundred thouſand Pounds was paid into Your Majeſty's Treaſury on the Twenty fifth Day of March One thouſand ſeven hundred and ſixty three, at the Rate of Five Pounds per Centum per Annum, to commence from the Twenty fifth Day of March One thouſand ſeven hundred and ſixty four, without any Fee or Charge, and free from all Deductions, Defalcations, and Abatements whatſoever, from and after the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty three, and Twenty fifth Day of March One thouſand ſeven hundred and ſixty four reſpectively, until ſuch Time as the ſaid ſeveral Principal Sums, herein before mentioned, ſhould be paid to the ſeveral and reſpective Perſons who had lent the ſame, at one intire Payment: And whereas the ſeveral Aids and Duties granted to Your Majeſty in and by the ſaid recited Act, have not proved ſufficient to pay and diſcharge the ſaid ſeveral Principal Sums of Three hundred and fifty thouſand Pounds, Two hundred thouſand Pounds, and One hundred thouſand Pounds, and the Intereſt of the ſame reſpectively, according to the ſeveral Rates of Intereſt herein before mentioned; but the greateſt part of the ſaid ſeveral Principal Sums will remain

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unpaid on the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five: And whereas there now remains due on the ſaid ſeveral Principal Sums, the Sum of Six hundred thouſand Pounds, carrying the Different Rates of Intereſt herein before expreſſed, and it has been judged expedient to reduce the Intereſt on ſuch Parts thereof as now carry an Intereſt at the Rate of Five Pounds per Centum per Annum, and to conſolidate the whole Principal Sums now due, or which ſhall remain due, on the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, into one aggregate Sum, to carry an Intereſt after the Rate of Four Pounds per Centum per Annum, from the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, until paid in Manner herein after expreſſed: We therefore Your Majeſty's moſt dutiful and loyal Subjects the Commons of Ireland in Parliament aſſembled, do moſt humbly beſeech Your Majeſty that it may be Enacted, and be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, that for the ſaid aggregate

aggregate Sum of Six hundred thouſand Pounds, or ſuch Part thereof as ſhall remain unpaid on the Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, there ſhall be paid at the Receipt of His Majeſty's Exchequer, by the Hands of the Vice-Treaſurer or Paymaſter General, Vice-Treaſurers or Paymaſters General, his or their Deputy or Deputies, at the End of every ſix Calendar Months from the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, to the Perſon or Perſons who has or have paid or lent the ſaid Sum of Six hundred thouſand Pounds, his, her, or their Executors, Adminiſtrators, or Aſſigns, an Intereſt at the Rate of Four Pounds per Centum per Annum, to commence from the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, without any Fee or Charge, and free from all Deductions, Defalcations, and Abatements whatſoever, until ſuch Time as they ſhall be reſpectively paid their Principal Money at one intire Payment.

And be it further Enacted by the Authority aforeſaid, That each and every Perſon intitled to any Part of the ſaid Sum

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of Six hundred thousand Pounds, which now carries an Interest at the Rate of Five Pounds per Centum per Annum, shall deliver or cause to be delivered to the Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, all and every such Receipt and Receipts, Debenture and Debentures whereby such Person or Persons respectively is or are intitled to any Part or Parts of the said Sum of Six hundred thousand Pounds, now carrying an Interest at the Rate of Five Pounds per Centum per Annum as aforesaid; which said Debenture and Debentures, Receipt and Receipts, the said Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies is and are hereby impowered and required to receive and cancel, and to make out and deliver new Debentures or Receipts to such Person or Persons respectively, their Executors, Administrators and Assigns, who shall deliver, or cause to be delivered such former Debentures or Receipts for the Sums contained in such former Debentures or Receipts, with Interest for the same, according to the Rate of Four Pounds per Centum per Annum, and that the said Debentures or Receipts to be delivered out (in Lieu of those which are to be cancelled as aforesaid) together with

with the Debenture or Debentures, Receipt or Receipts, which shall or may be Issued for such Sum or Sums of Money, not exceeding One hundred thousand Pounds, as shall or may be advanced and lent for the Purposes herein after mentioned pursuant to this Act, shall as to such of the said Debentures or Receipts as shall be issued for One hundred Pounds each, be Numbred in Arithmetical Progression where the common Excess or Difference is to be one, beginning with the Number next after the last Number of the Receipts or Debentures for One hundred Pounds each, now standing out at the Rate of Four Pounds per Centum per Annum, and as to such Debentures or Receipts as shall be Issued for Fifty Pounds each, the same shall be numbered in like Arithmetical Progression, beginning with the Number next after the last Number of the Debentures or Receipts for Fifty Pounds each, now standing out at the Rate of Four Pounds per Centum per Annum, until the whole shall be numbred in Manner as aforesaid.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons who shall be intitled to any Part

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or Parts of the ſaid Sum of Six hundred thouſand Pounds, now carrying an Intereſt at the Rate of Five Pounds per Centum per Annum, which ſhall remain unpaid on the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, ſhall not be willing to continue their ſaid principal Sums at the Intereſt of Four Pounds per Centum per Annum as aforeſaid, then and in that Caſe the Perſon or Perſons, his, her, or their Executors, Adminiſtrators or Aſſigns, who ſhall not be willing to continue their ſaid principal Sums at the Rate of Four Pounds per Centum per Annum, ſhall upon Application to the Vice-Treaſurer or Vice-Treaſurers, his or their Deputy or Deputies, at any Time before the Firſt Day of February One thouſand ſeven hundred and ſixty ſix, and upon the Aſſignment of his, her, or their unſatisfied Debentures or Receipts to the Vice-Treaſurer or Vice-Treaſurers, his, or their Deputy or Deputies, be paid the principal Sum or Sums due to them reſpectively, on the ſaid Twenty Fifth Day of December One thouſand ſeven hundred and ſixty five, and all Intereſt due thereon at the Time of ſuch Payment, and the ſaid Vice-Treaſurer or Vice-Treaſurers, his or their Deputy or Deputies, ſhall

ſhall and may aſſign ſuch Receipts or Debentures to ſuch Perſon or Perſons who ſhall advance the principal Money, and the Intereſt due on Account thereof at the Time of ſuch Aſſignment; which Receipt or Debenture ſo to be aſſigned by the ſaid Vice-Treaſurer or Vice-Treaſurers, his or their Deputy or Deputies, ſhall intitle the Aſſignee thereof to the principal Money due thereon, and to all Intereſt due for the ſame from the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, according to the Rate of Four Pounds per Centum per Annum.

And whereas it may be neceſſary that a further Sum or Sums of Money ſhould be borrowed to ſupply ſuch Deficiencies as may ariſe in the Aids granted this Seſſion of Parliament for the Support of Your Majeſty's Government, and for Payment of the ſeveral Sums granted this Seſſion for carrying on publick Works in this Kingdom; Be it further Enacted by the Authority aforeſaid, That for all and every ſuch further Sum and Sums of Money, not exceeding in the whole the Sum of One hundred thouſand Pounds, as ſhall be actually paid by any Perſon or Perſons into Your Majeſty's Treaſury

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at the Instance of His Excellency the Lord Lieuteant, or other Chief Governor or Governors of this Kingdom for the Time being, to supply such Deficiencies as shall or may arise in the Aids granted this Session of Parliament for the Support of Your Majesty's Government, and for Payment of the several Sums granted in this Session for carrying on publick Works in this Kingdom, there shall be paid at the Receipt of Your Majesty's Exchequer, by the Hands of the Vice-Treasurer or Paymaster General, Vice-Treasurers or Paymasters General, his or their Deputy or Deputies, at the End of every six Kalendar Months, to be computed from the respective Times of such Payments to the Person or Persons so paying or lending the same, his, her, or their Executors, Administrators, or Assigns, an Interest according to the Rate of Four Pounds per Centum per Annum, without any Fee or Charge, and free from all Deductions, Defalcations, and Abatements whatsoever, until such Time as they shall be respectively paid their principal Money at one intire Payment.

And be it further Enacted by the Authority aforesaid, That like Debentures or Receipts bearing an Interest at the Rate of

of Four Pounds per Centum per Annum, shall be given by the Officers of Your Majesty's Treasury for all and every Sum and Sums of Money to be paid into the Receipt of Your Majesty's Exchequer, on Account of the said intended Loan, not exceeding the Sum of One hundred thousand Pounds, which shall be numbred in such arithmetical Progression as aforesaid. CHAP. II.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons to whom Debentures or Receipts have been given for any part of the said Sum of Six hundred thousand Pounds, now carrying an Interest at the Rate of Four per Centum per Annum, and all and every Person or Persons to whom Debentures or Receipts shall be given pursuant to this Act, his, her, or their Executors, Administrators or Assigns, may by Indorsements on such Debentures or Receipts, transfer the Right and Benefit of the Sum due on such Debentures or Receipts, which Indorsements, upon Notice to the Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, and an Entry or Memorial thereof made in the said Vice-Treasurers Office, which the said Vice-Treasurer or Vice-Treasurers,

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his or their Deputy or Deputies, shall, upon Request without Charge, Fee or Reward make accordingly, and shall on Request permit the same to be viewed at the usual Office Hours without Fee or Reward, shall intitle the Indorsee or Assignee, his or her Executors, Administrators, and Assigns, to the sole Benefit of the Sum so transferred or Assigned, and that the said Debenture or Receipt may in like Manner be assigned or transferred by such Assignee, his or her Executors, Administrators or Assigns, and so toties quoties, and that after such Assignment it shall not be in the Power of the Person or Persons who made such Assignment, to make void, release, or discharge the said Assignment, or to discharge, or receive the Sum thereby transferred or assigned, or any Part thereof.

And to the End and Intent that the Interest of the said Sum of Six hundred thousand Pounds, or so much thereof as shall remain unpaid, on the said Twenty fifth Day of December, One thousand seven hundred and sixty five: And also the Interest of the said Sum, not exceeding the Sum of One hundred thousand Pounds, or so much thereof as shall be raised in pursuance of this Act, may be Duly and

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and Regularly Paid half Yearly, according to the Rate of Interest hereinbefore mentioned, and according to the true Intent and Meaning of this Act, Be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of December, which shall be in this present Year One thousand seven hundred and sixty five, there shall be throughout Your Majestys Kingdom of Ireland, raised, levied, granted collected and paid to Your Majesty, Your Heirs and Successors, until the Twenty fifth Day of December, One thousand seven hundred and sixty seven inclusive, and no longer, over and above the several Rates and Duties payable by Virtue of an Act passed in the fourteenth and fifteenth Years of the Reign of his Majesty King Charles the Second, Intituled, An Act for Settling of the Excise or New Impost, upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted, or by Virtue of One other Act passed in the said fourteenth and fifteenth Years of the Reign of the said King Charles the Second, Intituled, An Act for Settling the Subsidy of Poundage, and granting a Subsidy of Tunnage and other Sums of Money unto His Royal Majesty, His Heirs and Successors, the same to be paid upon Merchandizes imported and exported into or out

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of the Kingdom of *Ireland*, according to a Book of Rates hereunto annexed; **and over and above the ſeveral additional Duties granted to Your Majeſty this preſent Seſſion of Parliament, by an Act, Intituled,** An Act for granting to His Majeſty an additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides and other Goods and Merchandizes therein mentioned; and for Prohibiting the Importation of all Gold and Silver Lace (except of the Manufacture of *Great Britain*) **the ſeveral further new additional Rates and Duties hereinafter mentioned, (that is to ſay) an additional Duty of Six Pounds** per **Ton for and upon all Sorts of Wine, of the Growth of** France **or Spain, and Three Pounds** per **Ton for and upon all Sorts of Wine of the Growth of** Portugal; **and of Five Pounds** per **Ton for and upon all other Wines that ſhall be imported into this Kingdom from and after the ſaid Twenty fifth Day of** December, **One thouſand ſeven hundred and ſixty five; and alſo an additional Duty of Four Pounds** Sterling per **Pound Weight, for and upon all Velvets and Manufactures made of, or mixed with Silk (except thoſe of** Great Britain, China, Perſia **and the** Eaſt Indies) **that ſhall be imported into this Kingdom, from and after the Twenty fifth Day of** December, **One thouſand**

land seven hundred and sixty five; an additional Duty of One Halfpenny per Pound Weight for and upon all Hops that shall be imported into this Kingdom from and after the Twenty fifth Day of December, One thousand seven hundred and sixty five; an additional Duty of Five Pounds per Centum for and upon all China, Earthen, Japanned or Lacquered Ware, as valued or rated for Custom by the Book of Rates, that shall be imported into this Kingdom, from and after the said Twenty fifth Day of December, One Thousand seven hundred and sixty five; an Additional Duty of Thirty Shillings per Ton, for and upon all Sorts of Vinegar, that shall be imported into this Kingdom, from and after the said Twenty fifth Day of December, One thousand seven hundred and sixty five; a further Additional Duty of Two Pence per Gallon for and upon every Gallon of Aquavitæ, Strong Waters and Spirits, that shall be made or distilled within this Kingdom, for Sale, to be paid by the first Maker or Distiller thereof, from and after the said Twenty fifth Day of December, One thousand seven hundred and sixty five; a further Additional Duty of Two Pence per Pound, for and upon all Coffee that shall be imported into this Kingdom, from

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and after the said twenty fifth Day of December, One thousand seven hundred and sixty five; a Duty of Ten Shillings per Annum to be paid by every Person that doth or shall sell or tap out by Retail any Cyder at any Time between the said Twenty fifth Day of December, One thousand seven hundred and sixty five, and the Twenty fifth Day of December, One Thousand seven hundred and sixty seven inclusive; a Duty of One Penny per Gallon for and upon all Cyder that shall be sold or tapped out by Retail, to be paid by the Person who shall sell or tap out the same by Retail, from and after the said Twenty fifth Day of December, One Thousand seven hundred and sixty five; an Additional Duty of Twenty Shillings to be paid by every Person for every Coach, Chariot, Berlin, Calash or Chaise with four Wheels which such Person shall keep in his or her Possession, (except Hackney or Stage Coaches, and Coaches kept by Coach Makers for Sale) at any Time between the said Twenty fifth Day of December, One thousand seven hundred and sixty five, and the Twenty fifth Day of December, One thousand seven hundred and sixty six inclusive; an Additional Duty of Twenty Shillings to be paid by every

Per-

perſon for every Coach, Chariot, Berlin, Calash or Chaise with four Wheels which ſuch Perſon ſhall keep in his or her Poſſeſſion (except as aforeſaid) at any Time between the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and ſixty ſix, and the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and ſixty ſeven inclusive; an Additional Duty of Five Shillings per Ton for and upon every Ton of Soap-Boylers Waſte, and ſo in Proportion for a greater or leſſer Quantity that ſhall be exported out of this Kingdom, to Parts beyond the Seas, from and after the Twenty fifth Day of December, One thouſand ſeven hundred and ſixty five; an Additional Duty of Three Pounds per Ton, for and upon every Ton of Linen Rags, and ſo in Proportion for a greater or leſſer Quantity, that ſhall be exported out of this Kingdom, to Parts beyond the Seas, from and after the Twenty fifth Day of December, One thouſand ſeven hundred and ſixty five.

And be it further Enacted by the Authority aforeſaid, That if the ſaid Wines and other Merchandizes herein before mentioned, upon which the ſaid Additional Duties are hereby charged upon the Importation

CHAP. III.

thereof, shall be again exported by any Merchant or Merchants who is or are a Subject or Subjects of this Realm, or any other Your Majesty's Dominions within Twenty four Kalendar Months, or by Merchant Strangers within twelve Kalendar Months after the Importation thereof, and if due Proof shall be first made by Certificate from the proper Officers of the due Entry and payment of the said Additional Duties hereby granted, and if all other Requisites shall be performed, which are by Law required to be performed, in those Cases where the Duties of Excise are to be repaid, that then the said Additional Duties hereby imposed, shall without any Delay or Rebate, be repaid or allowed unto such Merchant or Merchants so exporting the same, within one Month after Demand thereof, or the Security for the said Additional Duties by this Act charged, shall be vacated, as to so much as shall be so exported; any Thing herein to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of December One thousand seven hundred and sixty five, no Person

ſon or Perſons whatſoever ſhall ſell or tap out by Retail any Cyder within this Kingdom, but only ſuch as ſhall be licenced according to the Directions of this Act, under ſuch Penalty as hereinafter is expreſſed.

And be it further Enacted by the Authority aforeſaid, That from and after the Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, it ſhall and may be lawful to and for the Chief Commiſſioners of his Majeſty's Exciſe, or any Three of them, and the Collectors of his Majeſty's Exciſe, in their ſeveral and reſpective Diſtricts, from Time to Time, to iſſue and grant ſuch Licences for the ſelling and tapping out Cyder by Retail, and that for every ſuch Licence ſo to be granted, the Sum of One Shilling and One Penny, and no more, ſhall be paid or demanded as a Fee for the ſame; And if any Perſon or Perſons ſhall from and after the Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, ſell or tap out Cyder by Retail, without ſuch Licence as aforeſaid, every ſuch Perſon ſo offending, ſhall, for every Time he or ſhe ſhall ſo offend, forfeit and pay the Sum of Five Pounds.

CHAP. II.

And be it further Enacted by the Authority aforeſaid, That for the better ordering and collecting the ſaid Duty of One Penny per Gallon, for and upon all Cyder that ſhall be ſold or tapped out by Retail, it ſhall and may be lawful to and for the Gauger or Gaugers, and Officers of Excile, within their reſpective Diſtricts, from Time to Time, from and after the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, to enter in the Day time into the Houſes, Outhouſes, Storehouſes, and Cellars of every Retailer or Retailers of Cyder, and to take an Account of all ſuch Cyder as ſhall be found in the Poſſeſſion of ſuch Retailer or Retailers, and to charge ſuch Retailer or Retailers with the ſaid Duty of One Penny per Gallon accordingly.

And be it further Enacted by the Authority aforeſaid, That from and after the ſaid Twenty fifth Day of December One thouſand ſeven hundred and ſixty five, every Retailer of Cyder ſhall ſhew to the Gauger or Officers of Excile on Demand, all his or her Stock of Cyder then on Hand; and in caſe any ſuch Retailer or Retailers of Cyder, or his, her, or their Servant

Servant or Servants, in case such Retailer or Retailers shall not be present when the Gauger or Officers of Excise shall come to such Retailers House to take Stock as aforesaid, shall refuse to make Declaration, and shew all his or her Stock of Cyder then on Hand, every such Retailer shall for every such Offence forfeit and lose the Sum of Ten Pounds. And if such Gauger or Officers of Excise shall, after Declaration made as aforesaid, find any Cyder in the Possession or Custody of such Retailer or Retailers, over and above the Quantity so shewn and declared, such Retailer shall likewise forfeit and lose the Sum of Ten Pounds. CHAP. II.

And be it further Enacted by the Authority aforesaid, That for the better collecting the said Duty chargeable on every Person who shall keep any Carriages with Four Wheels (except as before excepted) every Person who from and after the said Twenty fifth Day of December One thousand seven hundred and sixty five, shall have or keep any Coach, Chariot, Berlin, Calash, or Chaise with Four Wheels, shall within Three Calendar Months after the said Twenty fifth Day of December,

CHAP. II.

or within Three Calendar Months after he or she shall have or keep any such Coach, Chariot, Berlin, Calash, or Chaise with Four Wheels, by Writing under his or her hand, certify to the Collector of the District where he or she shall reside or dwell, a true Account of every such Coach, Chariot, Berlin, Calash, and Chaise with Four Wheels, which he or she shall have or keep (except Hackney or Stage-Coaches, and Coaches kept by Coachmakers for Sale) with the Name of the Place and Parish of his or her usual Residence or Abode, which said Certificate shall be kept by the respective Collectors of the several Districts in this Kingdom, now or hereafter to be appointed by the Commissioners of His Majesty's Revenue in this Kingdom, or any Three or more of them; and shall be also entred in a Book to be by them respectively kept for that Purpose; and a Number shall be entred on each Certificate registered; and that the said Collectors respectively shall, under their Hands, on or before the Twenty fifth Day of December in every Year, give a true List of all Coaches, Chariots, Berlins, Calashes, and Chaises with Four Wheels, from Time to Time returned

to

to them respectively in such Certificates, with the Names of the Persons and Places of their Abode respectively mentioned in such respective Certificates, to the Person who for the Time being shall be appointed by the Commissioners of His Majesty's Revenue of Excise, or any three of them, to collect and receive the said Duties; and that such Persons as shall be appointed by the said Commissioners of Excise, or any three of them, to collect the said Duties on Coaches, Chariots, Berlins, Calashes and Chaises with four Wheels, shall have full Power and Authority to collect and receive the same, and shall respectively sign and deliver Acquittances without Fee or Reward for the same, and shall keep Duplicates thereof in a Book to be kept for that Purpose, in the same Manner as Acquittances are given and kept for the Duty of Fire Hearths, and shall respectively return the Book, containing the Duplicates of such Acquittances to such Person and Persons, and at the same Times, and to be disposed of in the same Manner as Books containing the Duplicates of Acquittances for the said Duty on Fire Hearths are returned.

CHAP. II.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall have or keep any Coach, Chariot, Berlin, Calash or Chaise with four Wheels, chargeable with the said Duty, by Virtue of this Act, which shall be certified in Manner as aforesaid, then and in such Case, every such Person and Persons so having or keeping such Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, not certified as aforesaid, shall for such Neglect forfeit the Sum of Five Pounds.

Provided nevertheless, That every Person (except as before excepted) having in his or her Keeping or Possession, any Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, belonging to another, shall be charged for every such Coach, Chariot, Berlin, Calash, or Chaise with four Wheels, with the said Duty imposed by this Act, in the same Manner as the Owner or Proprietor thereof is, or ought to be charged or chargeable for the same by this Act.

And be it further Enacted by the Authority aforesaid, That the Person or Persons who, for the Time being, shall be authorized and impowered to collect and levy the

the ſaid Duty on Coaches, Chariots, Berlins, Calaſhes, and Chaiſes with four Wheels, ſhall pay the ſame to the ſaid Collectors of the ſeveral Diſtricts where the ſaid Duties ſhall be collected and raiſed, and that the ſaid Collectors ſhall keep ſeparate and diſtinct Accounts thereof, and pay the ſame into Your Majeſty's Treaſury, as other Money received by them for the Uſe of Your Majeſty. CHAP. II.

And be it further Enacted by the Authority aforeſaid, That all and every the ſeveral and reſpective additional and other Duties and Rates hereby granted, ſhall be raiſed, anſwered, collected and paid unto Your Majeſty, Your Heirs and Succeſſors during the Term aforeſaid, at the ſame Time and in like Manner, and by ſuch Ways, Means, and Methods, and by ſuch Rules and Directions, and under ſuch Penalties and Forfeitures, and with ſuch Powers as are appointed, directed, and expreſſed in and by the ſaid Act made in this Kingdom, in the fourteenth and fifteenth Years of the Reign of King Charles the Second, Intituled, An Act for the ſettling of the Exciſe or New Impoſt upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted, or by any other Law now

CHAP. II.

in Force relative to the Revenue of Exciſe in this Kingdom, as fully and effectually, to all Intents and Purpoſes, as if the ſame were particularly mentioned, ſpecified and enacted again in the Body of this preſent Act, with like Remedy of Appeal to and for the Party grieved, as in and by the ſaid Act of Exciſe, or any other Law or Laws now in being, relating to the Duties of Exciſe, is provided.

And be it further Enacted by the Authority aforeſaid, That neither the Six Pence per Pound, nor any other Fee, ſhall be payable to, or be deducted or received by the Vice-Treaſurer or Vice-Treaſurers, Receiver or Paymaſter-General, Clerk of the Pells, or any other Officer or Officers of this Kingdom, for or on Account of the Iſſuing or Payment of any Sum or Sums of Money ariſing by, or which ſhall be received for or on Account of the Aids hereby granted to Your Majeſty, or of any Payment to be made in purſuance of this Act.

And be it further Enacted by the Authority aforeſaid, That the ſeveral Duties and Aids hereby granted unto Your Majeſty, ſhall in the firſt Place be applied and paid

paid by the Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, to the Discharge of the Interest of the said Sum of Six hundred thousand Pounds, or such part thereof as shall remain unpaid on the said Twenty fifth Day of December, in the Year of Our Lord One thousand seven hundred and sixty five, and also to the Discharge of the Interest of such Sum or Sums not exceeding the said Sum of One hundred thousand Pounds, as shall be borrowed in pursuance of this Act, in the Manner and at the respective Times, and according to the Rate of Interest herein before mentioned and appointed for that Purpose, and that all the Surplus or Exceeding of the said Aids and Duties hereby granted to Your Majesty, over and above what shall be sufficient to discharge the Interest of the said Sum of Six hundred thousand Pounds, or so much thereof as shall remain due on the Twenty fifth Day of December, One thousand seven hundred and sixty five, and over and above what shall be sufficient to pay the Interest of what shall be borrowed in pursuance of this Act, shall in the first place be applied towards the Discharge of the said aggregate Sum of Six hundred thousand Pounds, or so much thereof as shall

CHAP. H.

CHAP. II.

remain unpaid on the Twenty fifth Day of December One thousand seven hundred and sixty five, and also towards the Payment of such Sum or Sums of Money not exceeding in the whole the Sum of One hundred thousand Pounds, as shall be actually paid into Your Majesty's Treasury at the Instance of his Excellency the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom for the Time being, to supply such Deficiencies as may arise in the Aids granted this Session of Parliament, for the Support of Your Majesty's Civil and Military Establishments and other necessary Expences of Government; and for the Payment of the several Sums granted in this Session of Parliament for carrying on publick Works in this Kingdom.

And be it further Enacted by the Authority aforesaid, That from and after the Payment of the Interest of the said several and respective Sums before mentioned, and when and as often as any Surplus, or Exceeding of the Aids and Duties hereby granted, shall be received by the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, and that such Surplus or Exceeding shall amount to the Sum of Five Thousand

Thouſand Pounds, that then the Vice Treaſurer, or Vice Treaſurers, his or their Deputy or Deputies, ſhall cauſe the Numbers of ſuch Receipts or Debentures amounting to the ſaid Aggregate Sum of Six hundred thouſand Pounds, or ſo much thereof as ſhall remain unpaid on the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and ſixty five, which purſuant to this preſent Act, is to bear an Intereſt at the Rate of Four Pounds per Centum per Annum, and the Sums therein contained, to be Written on ſeveral Tickets or Pieces of Parchment, and to be rolled and ſewed up and put into a Box or Urn, and well mixed together, and an Indifferent Perſon ſhall publickly, between the Hours of Ten and Twelve in the Forenoon of a Day to be by the ſaid Vice Treaſurer or Vice Treaſurers, his or their Deputy or Deputies publickly Advertized in the Dublin Gazette for that Purpoſe, at leaſt Twenty Days before, at the Office of the Vice Treaſurer or Vice Treaſurers in the Caſtle of Dublin, draw out of ſuch Box or Urn, as many of the ſaid Tickets or Pieces of Parchment, as the Sums therein contained ſhall amount to the ſaid Sum of Five Thouſand Pounds, and the Perſon or Perſons, the Numbers of whoſe Debentures

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tures or Receipts shall be so drawn, his or their Executors, Administrators or Assigns, shall within Twenty Days after the said Tickets or Pieces of Parchment shall be drawn, be paid by the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, the Principal Sums to him, her, or them respectively due, with Interest for the same, at the Rate of Four Pounds per Centum per Annum till paid, and shall upon Payment thereof, deliver his, her, and their several and respective Debentures or Receipts to the said Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies to be cancelled, which he or they are hereby required to cancel accordingly, and the Interest payable by Virtue of such Debentures or Receipts, shall cease from the Expiration of Twenty Days, to be accounted from the Day of drawing the said Tickets or Pieces of Parchment.

And be it further Enacted by the Authority aforesaid, That if any part of the said Aggregate Sum of Six hundred thousand Pounds hereby provided for shall be due and unpaid on the said Twenty fifth Day of December, which shall be in the

Year

year of our Lord One thouſand ſeven hun- CHAP.
dred and ſixty ſeven, the ſame ſhall be well II.
and truly ſatisfied and paid unto the ſeve-
ral and reſpective perſons, their Executors,
Adminiſtrators and Aſſigns reſpectively, to
whom the ſame ſhall be then due, together
with ſuch Intereſt for the ſame as ſhall
be then due, at the Rate aforeſaid, with-
out any Deduction, Defalcation, or Abate-
ment whatſoever.

And be it further Enacted by the Au-
thority aforeſaid, That from and after the
ſaid Twenty fifth day of December, One
thouſand ſeven hundred and ſixty five, a
ſeparate and diſtinct Account ſhall be kept,
by the proper Officer, of the Aids, Duties
and Taxes, granted by this Act, or any
other Act of Parliament now in force in
this Kingdom, and appropriated to parti-
cular Uſes; and that the Commiſſioners
of his Majeſty's Revenue ſhall return their
Weekly Abſtracts from the ſeveral Collec-
tors to the Accomptant General, and that
the Accomptant General ſhall return a ſe-
parate Account of the ſeveral Duties and
Taxes ſo appropriated, to the Vice Treaſurer
or Vice Treaſurers, his or their Deputy or
Deputies; and that every Collector or Receiver

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of the said Duties and Taxes do take a separate Receipt for the same when paid into His Majesty's Treasury, which said Receipt the Vice Treasurer or Vice Treasurers, his or their Deputy or Deputies, is and are hereby required to give accordingly.

AN

CHAP. III.

AN

ACT

TO

Prevent the Diſtilling of Spirits from Wheat, Oats, Bear, Barley, Rye, Meſlin, Malt, Beans and Peas, and from any Potatoes, Meal, or Flour of Wheat, Oats, Bear, Barley, Rye, Meſlin, Malt, Beans or Peas, for a limitted Time.

DUBLIN:

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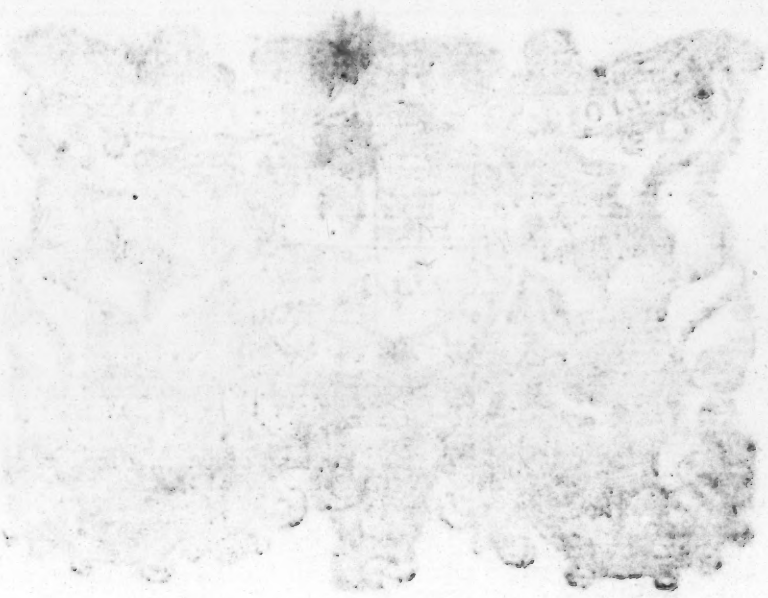

AN

ACT

TO

Prevent the Diſtilling of Spirits from Wheat, Oats, Bear, Barley, Rye, Meſlin, Malt, Beans and Peas, and from any Potatoes, Meal, or Flour of Wheat, Oats, Bear, Barley, Rye, Meſlin, Malt, Beans or Peas, for a limited Time.

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CHAP. III.

WHEREAS it is to be feared that there is not in this Kingdom, at the preſent, Proviſion of Corn of all Sorts more than ſufficient for the Food of the Inhabitants thereof, and

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for making the necessary Quantities of Beer and Ale: And whereas great Quantities of Corn are daily consumed by the Distillers, which, unless timely prevented, may occasion great Scarcity throughout this Kingdom: For Remedy whereof, be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of January, in the Year of our Lord One thousand seven hundred and sixty six, no Aquavitæ, Low Wines, or Spirits whatsoever, shall be made, extracted, or distilled within this Kingdom from any Wheat, Oats, Bear, Barley, Rye, Mestlin, Malt, Beans or Peas, or from any Potatoes, Meal, or Flour of Wheat, Oats, Bear, Barley, Rye, Mestlin, Malt, Beans or Peas, until the first Day of October One thousand seven hundred and sixty six.

And be it Enacted by the Authority aforesaid, That if, during the Time herein limitted, any Distiller, or Maker of Aquavitæ, Low Wines, or Spirits, or any other Person or Persons whatsoever, shall brew, make

make, extract, or distil, or cause or procure to be brewed, made, extracted, or distilled, any Aquavitæ, Low Wines, or Spirits, from any Wheat, Oats, Bear, Barley, Rye, Meslin, Malt, Beans or Pease, or from any Potatoes, Meal, or Flour of Wheat, Oats, Bear, Barley, Rye, Meslin, Malt, Beans or Peas, or shall use or mix, or cause or procure to be used or mixed, any Wheat, Oats, Bear, Barley, Rye, Meslin, Malt, Beans or Peas, or any Potatoes, Meal, or Flour of Wheat, Oats, Bear, Barley, Rye, Meslin, Malt, Beans or Peas, in any Worts or Wash, in order for the making, extracting, or distilling Aquavitæ, Low Wines, or Spirits, or shall put or lay, or cause or procure to be put or laid, in any Tun, Washing, Batch, Cask, Copper, Kieve, Still, or other Vessel or Utensil, any Wheat, Oats, Bear, Barley, Rye, Meslin, Malt, Beans or Peas, or any Potatoes, Meal, or Flour of Wheat, Oats, Bear, Barley, Rye, Meslin, Malt, Beans or Peas, for the Purpose of preparing any Worts or Wash, or for making, extracting, or distilling Aquavitæ, Low Wines, or Spirits; whether such Tun, Wash, Batch, Kieve, Cask, Copper, Still, or other Vessel or Utensil

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hath or hath not been duly entered at the Excise Office; that then, and in each and every of the said Cases, such Distiller, or Maker of Aquavitæ, Low Wines, or Spirits, or other Person or Persons acting contrary to the Directions of this Act, or the Person or Persons in whose Custody or Possession any such Tun, Mash, Batch, Sieve, Cask, Copper, Still, or other Vessel or Utensil, which shall be made use of contrary to the Intention of this Act, shall be found, shall respectively, for every such Offence, forfeit and pay the Sum of Two hundred Pounds, and all such Wheat, Oats, Bear, Barley, Rye, Mellin, Malt, Beans and Peas, and such Potatoes, Meal, and Flour, and all such Worts and Wash, Aquavitæ, Low Wines and Spirits, shall be also forfeited.

And be it further Enacted by the Authority aforesaid, That during the Time limited it shall be lawful for any Person and Persons, who shall be authorized for that Purpose by the Chief Commissioners of his Majesty's Revenue in Ireland for the Time being, or any two or more of them within the Limits of the City of Dublin, or by one or more Justice or Justices

tices of the Peace, or Magistrate in any City or Town Corporate in this Kingdom, at any Time or Times, or any Officer of Excise within his District, to enter into any Work-house, Still-house, Store-house, Ware-house, or any other Place, wherein any Aquavitæ, Low Wines, or Spirits, or Worts or Wash, shall be, and are suspected to be made, brewed, extracted, distilled, or prepared, or wherein any Aquavitæ, Low Wines or Spirits, or Worts or Wash, shall have been made, brewed, extracted, distilled or prepared after the first Day of January, One thousand seven hundred and sixty six, and shall have free Admittance into the same, and in Case any such Person or Persons authorized as aforesaid, shall have Reason to suspect that any Wheat, Oats, Bear, Barley, Rye, Meslin, Malt, Beans or Peas, or Potatoes, Meal or Flour of Wheat, Oats, Bear, Barley, Rye, Meslin, Malt, Beans or Peas is mixed in any Worts or Wash, or in any other Material or Preparation for making, brewing, extracting, or distilling Aquavitæ, Low Wines or Spirits, it shall be lawful for such Person or Persons at any Time or Times during the said Term, upon Pay-

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ment of two Shillings and ſix Pence, to take a Sample, not exceeding two Quarts, of any ſuch Worts or Wash, Material or Preparation which ſhall be found in any ſuch Houſe, or other Place as aforeſaid; and in Caſe any Diſtiller, Brewer, or Maker of Aquavitæ, Low Wines or Spirits, or the Owner or Occupier of any ſuch Houſe or Place, or any Workman or Servant to ſuch Diſtiller, Brewer, Owner, or Occupier belonging, ſhall refuſe to admit ſuch Perſon or Perſons as ſhall be ſo authorized, into any ſuch Houſe or Place, or ſhall obſtruct or hinder any ſuch Officer or Perſon or Perſons in making ſuch Inſpection as aforeſaid, or ſhall not allow any ſuch Perſon or Perſons to take ſuch Sample, after the ſaid Sum of Two Shillings and Sixpence ſhall be paid or tendered for the ſame, ſuch Diſtiller, Brewer, Owner or Occupier, ſhall, for every ſuch Offence reſpectively, forfeit and pay the Sum of One hundred Pounds, and it ſhall be lawful for any ſuch Perſon or Perſons authorized as aforeſaid, to ſeize, take, and carry away all ſuch Corn, Meal, Flour, and Potatoes, as ſhall be found in any ſuch Houſe or other Place, together with all the Sacks, Bags, Veſſels, and other

Things

Things in which the said Commodities shall be contained. CHAP. III.

And be it further Enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed, shall be sued for and recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at Dublin, and that one Moiety of the Penalties and Forfeitures, when recovered, shall be to the Use of the Protestant Schools in Ireland, and the other Moiety to him or them who shall sue for the same.

Provided always, that all Suits, Prosecutions or Informations for Offences committed against this Act, shall be commenced and made within the Space of three Calendar Months after the Fact is committed, and not otherwise; any Thing herein contained to the contrary notwithstanding.

And be it Enacted by the Authority aforesaid, That if any such Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, such Action or Suit shall be

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commenced within the Space of four Calendar Months next after the Offence shall be committed, and the Defendant or Defendants in any such Action or Suit, may plead the General Issue, and give this and the special Matter in Evidence on any Tryal to be had thereupon, and that the same was done in Pursuance and by the Authority of this Act, and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants, and if the Plaintiff shall be nonsuited or discontinue his Action after the Defendant or Defendants shall have appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Provided allways, and be it Enacted by the Authority aforesaid, that this Act shall continue in Force until the first Day of October One thousand seven hundred and fifty six.

Provided

Provided nevertheless, That it shall and may be lawful for the Chief Governor or Governors of this Kingdom for the Time being, and the Privy Council, at any Time, by their Proclamation, to suspend, the Execution of this Act, or any Part thereof as they shall think fit, and to permit the Distillery to be carried on as heretofore; any Thing herein contained to the contrary notwithstanding. CHAP. III.

T A N

CHAP. IV.

AN

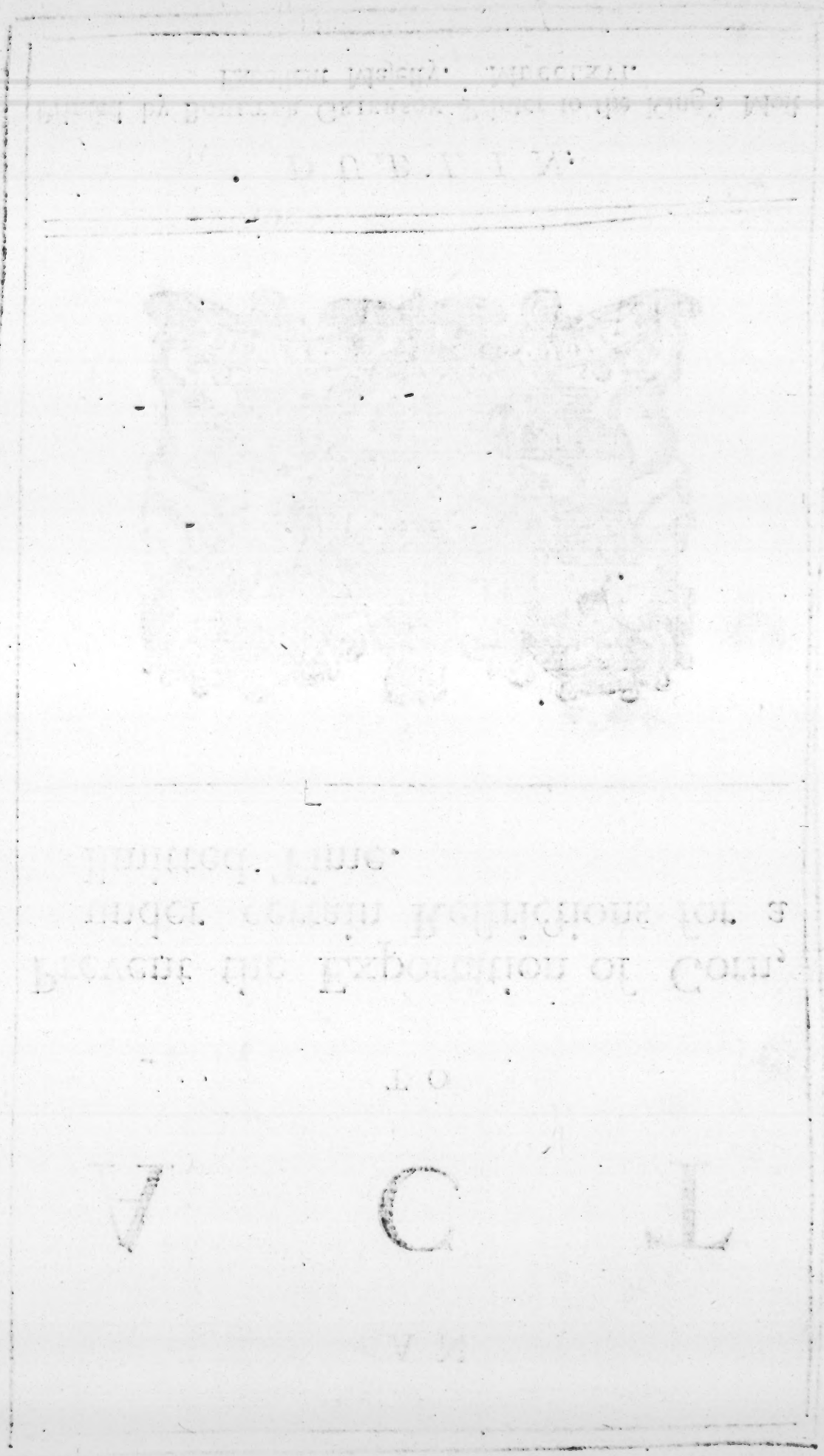
ACT

TO

Prevent the Exportation of Corn, under certain Reſtrictions for a limitted Time.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.



AN

ACT

TO

Prevent the Exportation of Corn, under certain Reſtrictions, for a limitted Time.

CHAP. IV.

CHAP. IV.

WHEREAS there is great Reaſon to apprehend that there is not at this Time more than a ſufficient Quantity of Corn of all Kinds to anſwer the Conſumption of this Kingdom until the next Harveſt: And whereas there are many Commiſſions already come into this Kingdom for the Exportation of

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Grain and Meal to Spain and other Countries, by which means, unleſs timely prevented, a great Scarcity may enſue: For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Wheat, Oats, Bear, Barley, Malt, Rye, Meſlin, Peas, or Potatoes, or Meal, or Flour of Wheat, Oats, Bear, Barley, Malt, Rye, or Meſlin, ſhall be exported from this Kingdom, from the paſſing of this Act until after the firſt Day of October, One thouſand ſeven hundred and ſixty ſix, and that all ſuch Grain, Meal, Flour, Malt, or Potatoes, which ſhall be put on Board any Ship or Boat in order to be exported from this Kingdom, ſhall be forfeited; one Moiety thereof to go to the Perſon who ſhall give Information thereof, before the Chief Magiſtrate of any Town Corporate, or before any of His Majeſty's Juſtices of the Peace of the Diſtrict from whence the ſame ſhall be exported, or attempted to be exported, (which Information it is hereby directed ſhall be upon Oath, and ſuch Chief Magiſtrate or Juſtice of the Peace is hereby impowered and required to receive ſuch

such Information, and administer such Oath, and to determine thereon) the other Moiety to the Poor of the City, Town or County from whence the same shall be attempted to be exported. CHAP. IV.

And be it further Enacted by the Authority aforesaid, That every Merchant, Farmer, or other Person who shall put or cause to be put on Board for Exportation, either upon his own Account, or upon Commission, any Quantity of the several Articles before mentioned, shall Forfeit for every Hundred Weight thereof, so put on Board, the Sum of Twenty Shillings, to be recovered by Bill, Plaint or Information, in any of His Majesty's Courts of Record in the King's Courts Dublin, in which no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed; one Moiety thereof to go to His Majesty, and the other to the Informer.

Provided always, that it shall and may be lawful for His Majesty, His Heirs and Successors, by his or their Order, in the Privy Council of Great Britain, or for the Chief Governor or Governors and Privy Council of this Kingdom for the Time being, by their Proclamation, to Per-

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mit the Exportation of any of the Kinds of Corn, Grain, Meal or Flour herein mentioned; any Thing herein contained to the contrary notwithſtanding.

Provided alſo, That nothing in this Act ſhall extend to prohibit the putting on Board any Ship or Veſſel, ready to ſail from this Kingdom, or Exporting ſuch Quantity of the aforeſaid Flour or Meal, as the Collectors or other Principal Officers of the reſpective Ports of this Kingdom ſhall think neceſſary for the Proviſion and Conſumption of the Maſter, Mariners and Paſſengers on Board any ſuch Veſſel, as ſhall carry out the ſame.

AN

CHAP. V.

AN

ACT

FOR

Aſcertaining the Duty of Exciſe payable upon the Importation of Brandy, Rum, and Geneva.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

Aſcertaining the Duty of Exciſe payable upon the Importation of Brandy, Rum, and Geneva.

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CHAP. V.

WHEREAS by an Act made in the Fourteenth and Fifteenth Years of the Reign of King Charles the Second, intitled, An Act for the ſettling of the Exciſe, or New Impoſt, upon

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His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted; there was laid upon every Gallon of Spirits made of Wine or Cyder impoꝛted, the Rate and Duty of Four Pence; and upon every Gallon of Strong Waters perfectly made, impoꝛted from beyond Seas, the Rate and Duty of Twelve Pence: And whereas ſome Doubts have been made and raiſed concerning certain Liquoꝛs impoꝛted into this Kingdom, called Bꝛandy, Rum, and Geneva, whether the ſame ſhould pay the Rate and Duty laid by the ſaid Act upon Spirits made of Wine or Cyder impoꝛted, or the Rate and Duty laid thereby upon Strong Waters perfectly made, impoꝛted from beyond Seas; And whereas ever ſince the Commencement of the ſaid Act, Bꝛandy, upon the Impoꝛtation thereof into this Kingdom, has been rated foꝛ the Duty of Excile, as of the Value of Six Shillings and Eight Pence the Gallon, and Rum and Geneva, ever ſince the firſt Impoꝛtation thereof into this Kingdom, have been rated foꝛ the Duty of Excile, as of the ſame Value with Bꝛandy, whereby the Duties of Excile received upon the Impoꝛtation of the ſaid Commodities, by Virtue of and under the

ſaid

ſaid Act, have been Four Pence the Gallon, and no more: And whereas it is apprehended, that an Increaſe of Duty of Eight Pence the Gallon upon the ſaid Commodities, over and above the Duty heretofore paid upon the Importation thereof, would be a great Temptation to Smugglers to run large Quantities of the ſaid Commodities into this Kingdom, and would, in many other Reſpects, be prejudicial to the Trade thereof: Therefore, in Order to remove all ſuch Doubts for the future: Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Brandy, Rum and Geneva, which at any Time heretofore hath been, or at any Time hereafter ſhall be imported into this Kingdom, ſhall be deemed and conſidered at all Times, heretofore, to have been, and at all Times, hereafter, to be, ſubject and liable to a Duty of Exciſe of Four Pence the Gallon, and no more, under and by Virtue of the ſaid Act.

CHAP. VI.

AN

ACT

FOR

Licenſing Hawkers and Pedlars, and for Encouragement of *Engliſh* Proteſtant Schools.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

Licenſing Hawkers and Pedlars; and for Encouragement of *Engliſh* Proteſtant Schools.

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CHAP. VI.

WHEREAS the continuing the Encouragement formerly given to Engliſh Proteſtant Schools will be of great Benefit to this Kingdom, and it is reaſonable that ſome Publick Fund ſhould be applied and ſet apart

CHAP. VI.

for that Purpose; Be it therefore Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty six, until the Twenty fourth Day of June One thousand seven hundred and sixty eight, there shall be answered and paid unto Your Majesty, Your Heirs and Successors, by every Hawker, Pedlar, Petty Chapman, or other Trading Person or Persons going from Town to Town, or to other Mens Houses, and travelling either on Foot or with Horse, Horses, or otherwise, in this Kingdom (except as herein after mentioned) carrying to sell, or exposing to Sale, any Goods, Wares, and Merchandizes, a Duty of Twenty Shillings by the Year; and that every Person so travelling with Horse, Ass, or Mule, or any other Beast bearing or drawing Burthen, shall pay the Sum of Twenty Shillings by the Year, from the Twenty fourth Day of June One thousand seven hundred and sixty six, to the Twenty fourth Day of June One thousand seven hundred and sixty eight, for each Horse, Ass,

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Als, or Mule, or other Beast bearing or drawing Butthen, he or she shall so travel with, over and above the said first mentioned Duty of Twenty Shillings by the Year; which said Rates and Duties shall be collected by such Person and Persons, and in such Manner, and by such Ways and Means, as the Duty payable for Licences to keep Ale-houses, is raised and collected, by Virtue of an Act made in this Kingdom in the Thirty third Year of the Reign of His late Majesty King George the Second, intitled, An Act for better regulating the Collection of His Majesty's Revenue, and for preventing of Frauds therein; and for repealing an Act made in the last Session of Parliament, intitled, An Act for continuing and amending several Laws heretofore made, relating to His Majesty's Revenue, for the more effectual preventing Frauds in His Majesty's Customs and Excise; and the several Acts and Statutes which are mentioned in the said Act, and continued thereby, as fully to all Intents and Purposes, as if the Provisions in the said Act for that Purpose were particularly mentioned and expressed, and Enacted again in the Body of this present Act.

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And be it further Enacted by the Authority aforeſaid, That every Pedlar, Hawker, Petty-Chapman, and other trading Perſon or Perſons, ſo travelling as aforeſaid, ſhall, before the Twenty Fourth Day of June One thouſand ſeven hundred and ſixty ſix, and ſo likewiſe in every Year, deliver, or cauſe to be delivered to the Collector of Exciſe of the Diſtrict where he or ſhe ſhall reſide or dwell, a Note in Writing under his or her Hand, or under the Hand of ſome Perſon by her or him authorized in that Behalf, how and in what Manner he or ſhe intends to travel and trade, whether on Foot, or with one or more Horſe or Horſes, Aſs or Aſſes, Mule or Mules, or any other Beaſt or Beaſts bearing or drawing Burthen, for his or her ſo travelling and trading, for which he or ſhe ſhall thereupon pay, or cauſe to be paid unto ſuch Collector, the yearly Duty herein before directed, to be payable for the ſame, and thereupon a Licence ſhall be granted unto him or her, ſo to travel or trade, by ſuch Collector.

And be it further Enacted by the Authority aforeſaid, That if any ſuch Hawker, Pedlar, or Petty-Chapman, from and after

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after the 1ſt Day of June One thouſand ſeven hundred and ſixty ſix, be found trading as aforeſaid, without, or contrary to ſuch Licence, ſuch perſon ſhall, for each and every ſuch Offence, forfeit the Sum of Five pounds; one Moiety thereof to the Informer, and the other Moiety to the Incorporated Society in Dublin, for promoting Engliſh Proteſtant Schools, and that if any perſon ſo trading, upon Demand made by any Juſtice of the peace, Mayor, Conſtable, or other Officer of the peace of any County, City, Town-Corporate, or Borough where he or ſhe ſhall ſo Trade, ſhall refuſe to produce and ſhew immediately unto ſuch Juſtice of Peace, Mayor, Conſtable, or other Officer of the Peace ſo demanding the ſame, his or her Licence for ſo trading, to be granted as aforeſaid, That then the Perſon ſo refuſing, ſhall forfeit Twenty Shillings, to be paid to the Informer, and for Non-payment thereof ſhall ſuffer as a common Vagrant, and be committed to the Houſe of Correction.

And be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Collectors of the ſeveral Diſtricts in this Kingdom reſpectively,

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tively, and they are hereby reſpectively directed, appointed, and required upon the Terms aforeſaid, and upon the Receipt as aforeſaid, to grant a Licence under their reſpective Hands to every Hawker, Pedlar, Petty-Chapman, or any other trading Perſon, for him or herſelf, with one or more Horſes, Aſſes, Mules, or Beaſts, which he, ſhe or they ſhall travel with, as the Caſe ſhall require, for which Licence there ſhall be taken by ſuch Collectors for their own Uſe, One Shilling, and no more, except ſuch Hawker, Pedlar, or Petty-Chapman ſhall travel with Horſe, Aſs or Mule, or any other Beaſt bearing or drawing Burthen, and in that Caſe there ſhall be paid to ſuch Collectors for their own Uſe, for ſuch Licence, Two Shillings and no more, over and above the Duties aforeſaid, and that the ſaid Collectors ſhall keep ſeparate and diſtinct Accounts of the Duties hereby granted, and pay the Money ariſing thereby into Your Majeſty's Treaſury, as other Money received by them for the Uſe of Your Majeſty.

And be it further Enacted by the Authority aforeſaid, That the ſaid Collectors ſhall be accountable to Your Majeſty for the

the Duties hereby granted, and shall be subject to the like Penalties and Forfeitures for not rendering a true Account thereof, and paying the same in Manner aforementioned, as they are and stand liable unto for not rendering a true Account of any Money received by them for the Use of Your Majesty.

And be it further Enacted by the Authority aforesaid, That the Monies arising from the said Duties hereby granted, shall from Time to Time be brought into the Receipt of Your Majesty's Exchequer, and shall from Time to Time, without any Fee or Deduction whatsoever, be paid by the Vice-Treasurer or Receiver-General of this Kingdom, to the Incorporated Society in Dublin for promoting English Protestant Schools, or to their Treasurer for the Time being, for the Use of the said Incorporated Society.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, shall forge or counterfeit, or cause to be forged or counterfeited any Licence or Licences for the Purpose aforesaid, or travel with such forged or counterfeited Licence or Licences, knowing

CHAP. VI.

ing the same to be forged or counterfeited, such Person shall forfeit the Sum of Fifty Pounds, one Moiety thereof to the King, and the other Moiety to him who shall prosecute or sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at the Four-Courts in Dublin, in which no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed, and shall be subject to such other Pains and Penalties as may be inflicted on Persons for Forgery.

And be it Enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested, or troubled for puting in Execution any of the Powers contained in this Act, or for doing any Matter or Thing pursuant thereto, such Person and Persons shall and may plead the general Issue, not guilty, and give the special Matter in Evidence, and if the Plaintiff or Plaintiffs shall be non-suited, or Judgment be given against him or them upon Demurrer or otherwise, or a Verdict pass for the Defendant or Defendants, or a Dismis upon a Civil Bill; such Defendant or Defendants shall have his, her,

or

or their treble Costs, to be recovered in such Manner as where by Law Costs are given to Defendants. CHAP. VI.

And be it further Enacted by the Authority aforesaid, That if any Constable shall refuse or neglect, upon due Notice, or on his own View, to be aiding and assisting in the Execution of this Act, being thereunto required, every such Constable being thereof convicted by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the County or Place where such Offence shall be committed, shall forfeit for each and every such Offence contrary to this Act, the Sum of Forty Shillings, to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of such Justice of the Peace; one Moiety whereof to be paid to the said Incorporated Society, the other Moiety to the Informer, who shall prosecute for the same, rendering the Overplus thereof to the Owner, if any be.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons whatsoever, to seize and detain any such

CHAP. VI.

Hawker, Pedlar, or Petty-Chapman, or other trading Perſon or Perſons as aforeſaid, and alſo the Goods they ſhall be found trading with, until ſuch Time as he, ſhe, or they ſhall produce a Licence in that Behalf, if he, ſhe, or they have any; and if he, ſhe, or they ſhall be found trading without Licence contrary to this Act, that then it ſhall and may be lawful to and for ſuch Perſon or Perſons ſo ſeizing as aforeſaid, taking to his or their Aſſiſtance ſuch Perſon or Perſons as he or they ſhall think fit, to carry the Perſon ſo ſeized, as alſo the ſaid Goods, before ſome one of His Majeſty's Juſtices of the Peace for the County or Place, or before the Collector of His Majeſty's Revenue for the Diſtrict where ſuch Offence or Offences ſhall be committed; which ſaid Juſtice of the Peace, and Collector reſpectively, are hereby ſtrictly required, either upon the Confeſſion of the Party offending, or one Proof of a Witneſs upon Oath, which they are hereby reſpectively impowered to adminiſter, that the Perſon ſo brought before him had ſo traded as aforeſaid, unleſs ſuch Licence ſhall be produced by ſuch Offender before the ſaid Juſtice or Collector, by Warrant under his Hand and Seal, to cauſe the Sum of

Five

five Pounds to be forthwith levied by Distress and Sale of the Offender or Offenders Goods, Wares or Merchandizes, rendering the Overplus (if any be) to the Owner or Owners thereof, after deducting the reasonable Charge for taking the said Distress, and out of the said Sale to pay the Penalty and Forfeiture aforesaid.

Provided allways, and be it Enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to prohibit any Person from selling of any Acts of Parliament, Forms of Prayer, Proclamations, Gazettes, Almanacks, or other printed Papers, or any Fish, Fruit, or Victuals, nor to hinder any Person or Persons who are the real Owners or Makers of any Goods or Wares within this Kingdom, or his or their Wife or Wives, Apprentice or Apprentices from carrying Abroad, exposing to Sale, and selling any of the said Goods and Wares of his, her, or their making, in any publick Fairs, Markets, or elsewhere; nor any Tinker, Cooper, Glazier, Plumber, Harness-mender, or other Persons usually reading in mending Kettles, Tubs, Houshold Goods, or Harness whatsoever,

CHAP. VI.

soever, from going about, or carrying with him or them proper Materials for mending the same.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to subject any Person or Persons who shall carry raw and unmanufactured Wool or Frizes, or Stockings made of Woollen Yarn, from one part of the Kingdom to the other, or expose the same to Sale in any Fair, Market, or other Place in this Kingdom, to any of the Duties or Penalties herein before mentioned, so as such Person or Persons shall not at the same Time carry or expose to Sale any other Wares, Goods, or Merchandizes, except the said raw and unmanufactured Wool, and the said Frizes and Stockings made of Woollen Yarn.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to prohibit or restrain any Person or Persons from selling or exposing to Sale in any Place or Places whatsoever, any Flax, Tow, Hemp, Flaxen Yarn, Hempen Yarn, Ticken, plain, striped, chequered, painted or stained

CHAP. VI.

ſtained Linens, Bucktrams, or Canvas, ſo as ſuch Perſon or Perſons ſhall not at the ſame Time carry or expoſe to Sale any other Goods, Wares, or Merchandizes, except ſuch Flax, Tow, Hemp, Flaxen Yarn, Hempen Yarn, Tickens, plain, ſtriped, chequered, painted or ſtained Linens, Bucktrams, or Canvas, as aforeſaid.

Provided alſo, and be it Enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend to ſubject any Perſon or Perſons who ſhall carry any Pots or Griddles made of Caſt Iron Metal, from one Part of the Kingdom to another, or expoſe the ſame to Sale in any Fair, Market, or other Place in this Kingdom, to the Payment of any greater Duty than the Sum of Twenty Shillings by the Year in the Whole, although ſuch Perſon or Perſons ſhall or may trade or travel with One or more Horſe or Horſes, or other Beaſt or Beaſts drawing or bearing Burthen, ſo as ſuch Perſon or Perſons ſhall not at the ſame Time carry or expoſe to Sale any other Goods, Wares, or Merchandizes, except the ſaid Pots and Griddles made of Caſt Iron Metal.

CHAP. VI.

Provided also, and be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of his Majesty's Revenue, or any three or more of them, for the Time being, to order and direct to be paid out of the Monies raised by this Act, to the said Collectors, their Clerks, or any other Persons, such Sums of Money, as they or any of them shall or may reasonably deserve for their Service, or shall or may have expended in the Execution of, or in relation to this Act.

Provided also, and be it further Enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to give any Power for licensing any Hawker, Pedlar, or Petty Chapman, to sell or expose to Sale any Wares or Merchandizes in any City, Borough, Town-Corporate, or Market-Town within this Realm, any otherwise than he or she might have done before the making of this Act: any Thing herein contained to the contrary in any wise notwithstanding.

And

CHAP. VI.

And for the further Entouragement of Engliſh Protestant Schools, be it Enacted by the Authority aforesaid, That it ſhall and may be lawful to and for every Archbiſhop, and Biſhop, and to and for every Dean, Archdeacon, Dignitary, Prebendary, Rector, Vicar, and Eccleſiaſtical Perſon whatſoever, with the Conſent of the Archbiſhop or Biſhop of their reſpective Dioceſe, ſignified under the Hand and Seal of ſuch Archbiſhop and Biſhop reſpectively, and to and for every Perſon being ſeized of an Eſtate for Life, in Poſſeſſion of any Land, with immediate Remainder over to his Iſſue in Tail, by Deed or Deeds indented, to demiſe for any Term or Number of Years or Lives, with Covenant of Perpetual Renewal, any Quantity of Land to them reſpectively belonging, not exceeding Thirty Acres Plantation Meaſure, to the ſaid Incorporated Society and their Succeſſors, reſerving a Rent, not leſs than the improved yearly Value of the ſame, at the Time of making ſuch Demiſe, payable to thoſe who are or ſhall be intitled to the Freehold and Inheritance thereof; and that all Grants ſo to be made, ſhall be good and effectual againſt the Succeſſors of every ſuch Archbiſhop, Biſhop, Dean, Archdeacon, Dignitary,

CHAP. VI.

Prebendary, Rector, Vicar, and other Ecclesiastical person respectively, and against all persons claiming or to claim any Estate, Right, Title, or Interest in such Land, by Virtue of or under any Limitation, Remainder, or Reversion expectant upon such Estate for Life.

Provided allways, That in case the said Lands and Premises so demised as aforesaid, shall not be applied and made use of for the Benefit and Support of the Charter Schools or Nurseries, or some of them that are or shall be erected and established by said Society, such Demise shall be absolutely null and void to all Intents and Purposes whatsoever.

CHAP. VII.

AN

ACT

FOR

Explaining and Amending an Act, intituled, *An Act for the Encouragement of the Fiſheries of this Kingdom.*

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

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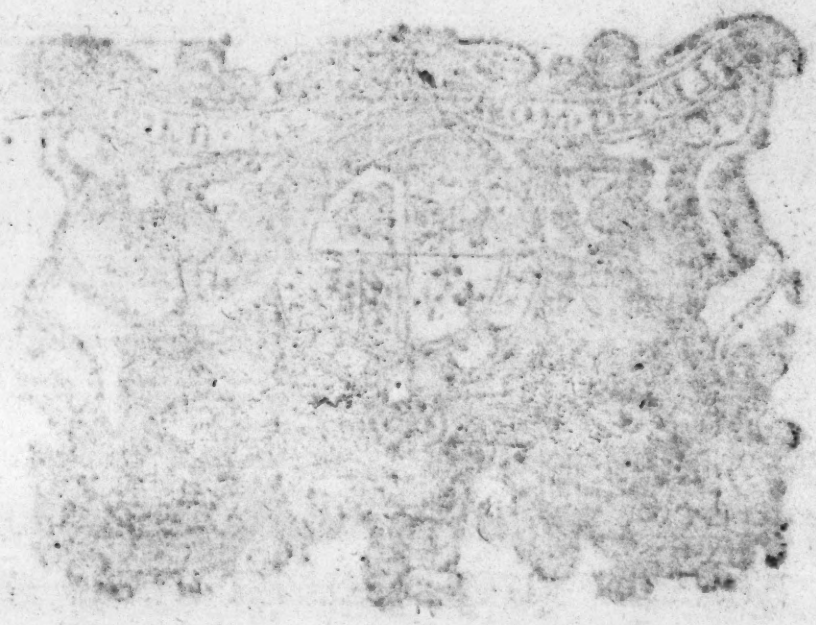

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ACT

FOR

Explaining and Amending an Act, intituled, *An Act for the Encouragement of the Fisheries of this Kingdom.*

CHAP. VII.

WHEREAS by an Act passed in the Third Year of the Reign of His Present Majesty King George the Third, intitled, An Act for the Encouragement of the Fisheries of this Kingdom, it is

CHAP. VII.

amongst other Things Enacted, That every Buss or Vessel that shall be employed in the said Fisheries, or whose Owners shall be intitled to the Bounty of Twenty Shillings per Ton, given by the said Act, shall be a Decked Buss or Vessel: And whereas in many parts of this Kingdom, where Harbours and Ports are contiguous to the Fishing Ground, it may be more convenient to salt and cure on Shore all such Fish as shall be taken, and the Vessels therefore employed in catching and taking said Fish, are in many Places found to be more safe and commodious for the Fishermen on board, by being partly decked and partly open; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That the Owners of all Busses or Vessels which have been built since the Commencement of the said Act, or that shall be built after the Commencement of this present Act, which are in every other Respect duly qualified according to the Directions and the Intent and Meaning of the said Act, although they shall be partly decked and partly open, shall be intitled to the Bounty given by

by the ſaid Act, on Compliance with the ſeveral other Requiſites in the ſaid Act mentioned, or ſuch of them as are not diſpenſed with by this preſent Act. CHAP. VII.

And whereas a Doubt has ariſen upon the Words of the ſaid Act, whether among other Requiſites to intitle the Owner or Owners of ſuch Buſs or Veſſel to the Bounty given by the ſaid Act, it may not be neceſſary for the Owner or Owners, Maſter, or Chief Officer of ſuch Buſs or Veſſel, to produce the Journal of their Proceedings at Sea, and to atteſt the ſame, and for the Maſter of ſuch Buſs or Veſſel alſo to make ſuch Oath before the Collector of the Cuſtoms, as is directed, by the ſaid Act, to be made at the End of each Voyage, every Time that, and as often as, the ſaid Veſſel comes into Port, in order to land any of the Fiſh taken by her off the ſaid Port, by which great Delay and Interruption would be given to the Fiſhing Buſineſs, and eſpecially to ſuch Perſons as are employed therein for the Purpoſes of ſupplying the Markets of Dublin with Fiſh during the Times of the Fiſhing Seaſon: For Remedy whereof, and for explaining the ſaid Act, be it Declared and Enacted by the Authority afore-

CHAP. 1.

said, That the producing and attesting the said Journal, and the Master or Chief Officer of such Buss or Vessel making such Oath before the Collector of the Port, and the Officer of the Customs certifying such Matters as are directed by the said Act, at the End of the Fishing Season, shall be sufficient within the Intent and Meaning of the said Act, for all the Purposes therein mentioned; and if any Person or Persons shall wilfully swear falsely in any Oath or Oaths directed by this Act to be taken, or shall corruptly procure any Person or Persons to swear falsely in any of the said Oaths, every Person being convicted of such Offence, shall incur all such Pains, Penalties and Forfeitures, as Persons who commit, or corruptly procure or seduce any Witness to commit, wilful or corrupt Perjury are now subject to by any Law or Statute now in Force in this Kingdom.

And whereas the Penalty of Five Pounds, inflicted by the said Act upon any Person who shall shoot any Net or Nets for the taking of Herrings in the Day-time, and also the like Penalty of Five Pounds, inflicted by the said Act, for any Boats which shall go out to look for Fish from Sun-

set

CHAP. VII.

set on Saturday Night until after Sun-set on Sunday Night, have not been found sufficient to deter Persons from the same; Be it Enacted by the Authority aforesaid, That every Person who shall be guilty of any of the Offences aforesaid, shall, instead of the said Penalties, be subject for every such Offence to the Penalty of Ten Pounds; and that such Penalty shall and may be recovered by any Person who will sue for the same, within Three Months next after the Offence committed, by Civil Bill before the Justice or Justices of Assize, at the Assizes for the County where such Offender usually lives or resides, or at the Quarter Sessions to be held for the County of Dublin, if such Offender usually resides there; such Penalty, when recovered, to be to the Use of the Person so suing for the same.

And whereas a Doubt has arisen upon the Words of the said Act, whether the Bounty payable on the Exportation of the several Kinds of Fish therein mentioned, be payable upon the Exportation of any Fish, save only such as are taken on Board such Buss or Vessels as are particularly described in the said Act: For removing which said Doubt, be it Decla-

CHAP. VII.

red and Enacted by the Authority aforeſaid, That the ſeveral Bounties given by the ſaid Act upon the Exportation of Fiſh, ſhall be payable to the Owner or Owners of the Fiſh, upon the Exportation of the ſeveral Kinds thereof, in the ſaid Act mentioned, the ſame being prepared for ſuch Exportation, in the Manner in the ſaid Act directed; Provided the ſaid Fiſh ſhall have been taken on the Coaſts of this Kingdom, or within Thirty Five Leagues thereof, in any Veſſel whatever.

And be it Enacted by the Authority aforeſaid, That the Penalty of Twenty Pounds, inflicted by the ſaid Act, upon ſuch Perſon or Perſons as ſhall be guilty of ſhooting at Whales from Boats or ſmall Veſſels, not belonging to ſome Ship actually employed in the Whale Fiſhery, ſhall and may be recovered by any Perſon for his own Uſe, who ſhall ſue for the ſame by Civil Bill, in the ſame Manner as the Penalties herein before mentioned are appointed by this Act to be recovered.

And whereas ſeveral Doubts have ariſen concerning the true Conſtruction and Meaning of the Clauſe in the ſaid Act, for preventing

venting Frauds that may be attempted by claiming any of the Bounties given by the said Act, for Fish carried to foreign Markets, which have not been caught on the Coasts of this Kingdom, within the Distance in the said Act described: For the explaining and amending of the said Act, be it declared and enacted by the Authority aforesaid, That no Owner or Owners of any Fish, shall be intitled to the Bounties given upon the Exportation thereof, except as herein after is mentioned, unless such Fish shall be first landed in, and afterwards exported from, some Port in this Kingdom, and unless such Fish, for which such Bounty shall be claimed, shall be proved by sufficient Affidavit made before the Collector, or other principal Officer of the said Port; which Oath or Oaths such Collector or Officer is hereby impowered and required to administer, to have been caught on the Coasts of this Kingdom, within the Distance in the said Act described, and the said Collector or principal Officer shall then certify under his Hand, that the said Fish was first landed in, and then exported from the said Port of this Kingdom, and in the said Certificate shall also specify the Quantity and Quality of the Fish so exported; which Affidavit

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being so made, and Certificate given as aforesaid, the Owner of such Fish shall, on his performing all the other Directions of the said Act, be intitled to and paid the several Bounties respectively given by the said Act upon the Exportation of the said Fish.

And whereas it may frequently happen, That several of the large Busses or Vessels employed in the said Fisheries, having salted and cured a sufficient Quantity of Fish for their Cargoes at Sea, may find it expedient to proceed directly with such their Cargoes to some foreign Market, without touching at any Port in this Kingdom: be it Enacted by the Authority aforesaid, That then and in that Case upon an Affidavit being made by such foreign Merchant, to whom the Vessel shall be consigned, before the chief Magistrate of the Port where he resides, or a British Consul, in Case any such there be, specifying particularly the Quantity and Species of Fish landed at such foreign Port or Market, and also upon a further Affidavit of the Master, or other chief Officer of such Vessel on her Return to Ireland, being made before the Collector or other principal Officer of

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the Port where she shall arrive, who are hereby impowered and required to administer the same, setting forth that all the said Fish so landed at the said foreign Port or Market, was taken upon the Coasts of this Kingdom, within the Distance described in the said recited Act, and setting forth that he was present, and did see the foreign Merchant, mentioning his Name and Place of Abode, sign and swear the said Affidavit before the chief Magistrate of such foreign Port, or British Consul residing there, and upon delivering to the Collector of the Port in Ireland, where such Vessel shall arrive, the said two Affidavits, the Owner or Owners of the Fish shall be intitled to, and be paid the several Bounties which are respectively given by the said Act upon the Exportation of the several Kinds of Fish, therein particularly mentioned.

And for the better and more effectual Encouragement of the Fisheries of this Kingdom: be it Enacted by the Authority aforesaid, That all the several Bounties by the said Act given and allowed, on conforming to all the several Regulations in the said Act mentioned, which are not altered and dispensed with by this present

CHAP. VII.

Act, and also to such Regulations as are made necessary by this Act, shall be paid, for and during the Space of Fourteen Years, from the First Day of April One thousand seven hundred and sixty six, and from thence to the End of the then next Session of Parliament, and no longer.

Provided allways, that the said Act, and every Clause and Article therein contained, and not herein and hereby altered or repealed, shall continue in full Force.

And provided allways, That nothing in the said Act, or in this present Act, shall extend to, or be construed to extend to exclude any of His Majesty's Subjects from fishing or carrying on the White Herring and other Fisheries, in such Manner as they might have done in Case this Act had never been made (the Cases before mentioned where Penalties are inflicted, only excepted).

AN

CHAP. VIII.

AN

ACT

TO

Prevent, for the future, Tumultuous Riſings of Perſons within this Kingdom, and for other Purpoſes therein mentioned.

DUBLIN:

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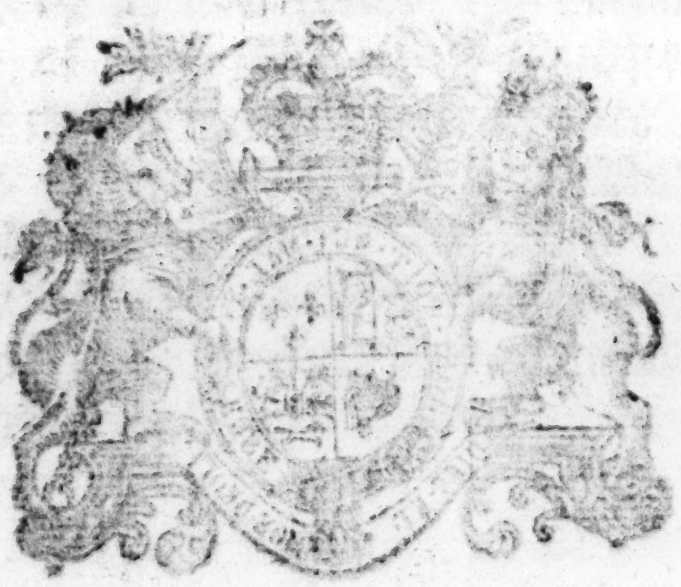
CHAP.
VIII.

AN

ACT

TO

Prevent, for the future, Tumultuous Risings of Perſons within this Kingdom, and for other Purpoſes therein mentioned.



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AN

ACT

TO

Prevent, for the future, Tumultuous Risings of Persons within this Kingdom, and for other Purposes therein mentioned.

CHAP. VIII.

CHAP. VIII.

WHEREAS it has frequently happened of late, in different Parts of this Kingdom, that several Persons, as well by Night as in the Day-time, have in a riotous, disorderly, and tumultuous

CHAP. VIII.

Manner aſſembled themſelves, and being ſo aſſembled and met together, have abuſed and injured many Perſons by aſſaulting, wounding, or otherwiſe maltreating their Perſons, or by deſtroying or injuring their Property, to the great Detriment and Diſturbance of ſeveral of His Majeſty's loyal and faithful Subjects, and have forceably impoſed ſundry Oaths contrary to Law, and which, if not timely prevented, may become dangerous to the general Peace of this Kingdom, and His Majeſty's Government therein; For preventing thereof, be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Firſt Day of May One thouſand ſeven hundred and ſixty ſix, if any Perſons, to the Number of Five or more, ſhall meet and go by Night, and aſſault, injure, or otherwiſe maltreat any Perſon or Perſons, by wounding, beating, tying, or by any other Act of Cruelty, whereby the Life or Limb of the Perſon aſſaulted may be in Danger, or ſhall wilfully or maliciouſly deſtroy or injure his, her, or their Property, by killing, maiming,

maiming, or worrying their Cattle, or by destroying or spoiling their House or Houses, Barns, Mills, or Mill-dams, Hay, Corn, or Grain, or Potatoes, whether the same be growing, standing, or lying in the Field or Haggard, or maliciously digging up Ground, that all and every Person or Persons so offending, and being thereof found guilty, shall suffer Death, as in Cases of Felony without Benefit of Clergy. CHAP. VIII.

And be it further Enacted by the Authority aforesaid, That if any Persons shall assemble in Number as above, and shall commit any of the above Offences in the Day-time, he, she, or they so offending, shall on Conviction thereof, be deemed and construed to be guilty of Felony, and all and every such Felon and Felons shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court before whom such Person or Persons shall be tried, shall have Power and Authority to transport such Felon or Felons, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Kingdom.

CHAP. VIII.

And whereas it may tend to diſcourage ſuch Inſurgents from perpetrating their wicked and unlawful Intentions, and in ſome Meaſure prevent their being guilty of the abovementioned Offences, if the Damage done by them on ſuch Occaſions was recovered off the County or Barony wherein the ſame was committed, before the Conviction of the Offenders: And in order to prevent ſuch Evils, and for the more effectual Diſcovery and apprehending of ſuch Offenders, be it Enacted by the Authority aforeſaid, That upon ſuch Notice given to the High Conſtable of the Barony where the Offence ſhall be committed, as in the Caſe of Robbery Petitions, that if the Inhabitants of the adjoining Towns, Neighbourhood, or Barony wherein ſuch Offence ſhall be committed, ſhall not apprehend, or cauſe or procure to be apprehended, the ſaid Offenders, or ſome or one of them, or ſhall not diſcover to a Juſtice of Peace, and give an Examination againſt one or more of them, before the Aſſizes next after ſuch Offence ſhall be committed, the Perſon or Perſons ſo injured, ſhall be intitled to have and recover Satisfaction for any Loſs he, ſhe, or they ſhall have ſo ſuſtained,

ſuſtained, to be ꝓſented, raiſed, and levied upon the County at large, or upon any Barony of the County, at the Diſcretion of the Grand Jury, by ſuch Ways and Means, as other Publick Money may be ꝓſented, levied, and raiſed, by the Laws now in Force in this Kingdom.

And whereas the Gaols in this Kingdom have of late been frequently broke open, and the Priſoners confined therein ſet at large: Be it Enacted by the Authority aforeſaid, That from and after the firſt Day of May One thouſand ſeven hundred and ſixty ſix, any Perſon or Perſons, who ſhall, by Force or Violence, break open any Gaol or Priſon, with an Intention to reſcue and enlarge any Priſoner or Priſoners therein confined, on Account of any Offence, though the ſame be not Capital; all and every Perſon or Perſons who ſhall commit ſuch Offence, and ſhall be found guilty thereof, ſhall ſuffer Death, as in Caſes of Felony without Benefit of Clergy, and ſhall and may be tryed before the Tryal or Attainder of the Perſon or Perſons ſo enlarged; any Law or Statute to the contrary in any wiſe notwithſtanding.

CHAP. VIII.

And be it further Enacted by the Authority aforeſaid, that every Perſon who ſhall reſcue any Perſon committed by a Juſtice of the Peace, on a Mittimus for Treaſon or Felony, from a Conſtable, or any Perſon legally authorized for that Purpoſe, before the Perſon or Perſons ſo committed ſhall be lodged in Gaol, ſhall, on being convicted and found guilty thereof, ſuffer Death, as in Caſes of Felony without Benefit of Clergy.

And be it further Enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall by Force, Violence, or Menaces, impoſe or tender any Oath or Oaths, or any other ſolemn Engagement on any other Perſon or Perſons, in Order thereby to compel or engage him, her, or them to commit or conceal any unlawful Act or Acts, ſhall on Conviction thereof be deemed and conſtrued to be guilty of Felony without Benefit of Clergy.

And be it further Enacted by the Authority aforeſaid, That all and every Juſtice of the Peace in this Kingdom, ſhall have full Power and Authority to ſummon

mon any Perſon or Perſons within his Juriſdiction, whom he ſhall have Cauſe to ſuſpect to have taken ſuch illegal Oaths, and to examine him, her, or them relative thereto; and in Caſe ſuch Perſon or Perſons who have been ſummoned for that Purpoſe, ſhall refuſe to ſubmit to ſuch Examination, it ſhall and may be lawful to and for ſuch Juſtice of the Peace to commit the Perſon or Perſons ſo refuſing to be examined, to the publick Gaol of the County where he is Juſtice of the Peace, for any Space of Time not exceeding Six Months.

And to prevent any Defect in the Execution of the ſaid Law; Be it further Enacted by the Authority aforeſaid, That if any Juſtice of the Peace of the County where any Offence is committed, happens to be in another County, he, or any Juſtice of the Peace for ſuch foreign County, may, upon proper Information, iſſue his or their Warrant to arreſt any Perſon offending againſt this Act, and the Perſon arreſted ſhall be brought before ſuch Juſtice of the Peace, who is hereby impowered, upon due Examination, and probable Cauſe appearing to him or them, either to commit the

CHAP. VIII.

Offender to Prison, or to admit him to Bail, if the Offence with which he is charged be a bailable Offence, or to discharge him if no sufficient Cause for his Detention appears, and that such Justice of the Peace shall return all Examinations and Recognizances taken by, or entered into before him, to the next Assizes or General Quarter Sessions to be held for the County, in which such Offence is alledged to have been committed, and such Justice of the Peace shall or may be examined on the Tryal of such Offender in the proper County, and he shall attend to give Evidence on such Tryal, unless prevented by some Fatality or inevitable Accident, or other sufficient Reason verified by the Affidavit of the Party, or some other credible Person, and if he shall make Default herein, he shall be fined by the Court in a Sum not less than Ten Pounds, nor exceeding Twenty Pounds, which Fine shall be estreated into the Exchequer.

Provided allways, and be it Enacted by the Authority aforesaid, That nothing herein contained shall be construed in any Sort to repeal or alter any Act of Parliament

liament now in Force, relating to the Offences herein before mentioned, but that such Acts shall remain in full Force, as if this Act had never been made. CHAP. VIII.

And be it Enacted by the Authority aforesaid, That this Act, and every Clause herein contained, shall be read publickly in open Court, on the Second Day of every Assizes, and the First Day of every Quarter-Sessions of the Peace in every County of this Kingdom.

And be it further Enacted by the Authority aforesaid, That this Act shall continue in Force for Two Years, and to the End of the then next Session of Parliament.

CHAP. IX.

AN

ACT

FOR

Explaining and Amending the Laws relative to the Flaxen and Hempen Manufactures.

DUBLIN:

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IX.
CHAP.

AN

ACT

FOR

Explaining and Amending the Laws relative to the Flaxen and Hempen Manufactures.

CHAP. IX.

CHAP. IX.

WHEREAS by an Act passed in the Third Year of His Majesty's Reign, intituled, An Act for regulating the Flaxen and Hempen Manufactures in this Kingdom, it is amongst other Things

CHAP. IX.

Enacted, That no Piece of Brown or unbleached Linen Cloth of the Set of ~~Eight Hundred, or upwards, shall be sold,~~ or exposed to Sale, within the Province of Ulster, which if Thirty six, Thirty seven, or Thirty eight Inches broad, shall contain any greater Number of Yards in Length than Twenty five Yards, upon Pain of forfeiting such Piece, and also the Sum of Forty Shillings, by the Person selling or exposing such Piece to Sale, or packing up, or entering the same for Exportation: And whereas a Doubt has arisen upon the Construction of the said Act, whether if a Piece of Linen Cloth, which exceeds Twenty five Yards in Length, but does not measure Twenty six Yards in Length compleat, shall be exposed to Sale in any Fair or Market, the same shall be forfeited within the Intention of the said Act of Parliament; Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That no Piece of Linen Cloth of the Length of Twenty five Yards, which shall be exposed to Sale, or sold in any Fair or Market, shall, within

the

the Intention of said Act, be forfeited for improper Measure in Length, unless the said Piece shall measure Twenty six Yards compleat. CHAP. IX.

And whereas Disputes frequently arise in Fairs or Markets between the Buyer and Seller of Linen Cloth and Yarn, in respect of the Price first agreed to be paid by the Buyer of such Cloth or Yarn, for the Cloth or Yarn bought or sold in such Fair or Market; Be it Enacted by the Authority aforesaid, That in order to put an End to such Disputes, it shall and may be lawful for the Seller of any Cloth, or Yarn in any Fair or Market, if the Buyer of such Cloth or Yarn shall, without just Cause, refuse to pay him, her, or them selling the same, the Price first agreed upon between them, to complain immediately, or at any Time within Twenty four Hours, to the next Justice of the Peace, Trustee of the Linen Manufacture, or Chief Magistrate, within their respective Jurisdictions, which Justice of the Peace, Trustee of the Linen Manufacture, or Chief Magistrate within their respective Jurisdictions, are hereby required and authorized forthwith to summons the parties before him; and if it shall appear to such

CHAP. IX.

Justice of the Peace, Trustee of the Linen Manufacture, or Chief Magistrate within their respective Jurisdictions, that the Buyer of such Linen Cloth or Yarn, shall, without just and reasonable Cause, refuse to pay the Seller of such Cloth or Yarn, the Price first agreed upon between such Buyer and Seller at such Fair or Market, such Justice of the Peace, Trustee of the Linen Manufacture, or Chief Magistrate within their respective Jurisdictions, may, by Warrant under his Hand and Seal, order such Cloth or Yarn to be returned to the Seller thereof, and may by such Warrant direct any Penalty not exceeding the Sum of Ten Shillings to be levied off the Goods and Chattles of such Buyer of Cloth or Yarn, who shall without just Cause refuse to pay the Price first agreed upon, the said Penalty to be paid to the Person who had contracted to sell the same, as a Recompence for the Loss of Time and Sale of their Goods at such Fair or Market.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for every Person seized in Possession, in Law or Equity, of any Estate in Fee-Tail or for Life, with im-

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mediate Remainder over to, or in Trust for his Issue, to demise any Land out of his said Estate whereof he shall be so seized, being no Part of the Demesne usually occupied with his Mansion-house, and not exceeding Five Acres Plantation Measure in the whole, for Three Lives renewable for ever, to any Person or Persons who shall engage and contract to carry on some Branch of the Linen Manufacture on the Land so to be demised: provided that the best and highest Rent be reserved for the Land so to be demised, that can be reasonably had for the same at the Time of making such Demise without Fine, and that one half Years Rent of the said demised Lands be reserved as a renewal Fine on the Fall of every Life, to be paid within six Months after the Fall of such Life, and that the Lessee or Lessees do covenant by such Lease or Leases, to erect on the Land so to be demised, Houses or other Buildings fit and well adapted for carrying on some Branch or Branches of the Linen Manufacture, on the Lands so to be demised, and do covenant to preserve and keep the same in proper Order and Repair, and carry on, or cause to be carried on some Branch or Branches of the Li-

CHAP. IX.

nen Manufacture, on the ſaid Land ſo demiſed, during the Continuance of the ſaid Demiſe, and provided that ſuch Houſes and Buildings be erected and compleated within Five Years after the making ſuch Demiſe, and that every Leaſe that ſhall be made agreeable to the Conditions and Terms aforeſaid, and provided the Leſſee or Leſſees ſhall duly perform the ſaid Covenant or Covenants for building, ſhall be good and valid, notwithſtanding any Settlement reſtraining ſuch Tenant for Life, or in Tail, from making ſuch Leaſe or Leaſes, and that it ſhall and may be lawful to and for every Perſon ſeized as aforeſaid, to make one or more Leaſe or Leaſes of any Part or Parts of the Land whereof he ſhall be ſo ſeized, being no Part of the Demeſne uſually occupied with his Manſion-Houſe, and not exceeding Fifteen Acres Plantation Meaſure in any one ſuch Leaſe for One or more Life or Lives renewable for ever, or for any Term of Years for the Purpoſe of making of a Bleach-Yard or Bleach-Green thereon, and furniſhing Conveniencies for the Workmen and Perſons to be employed therein, provided that the beſt and higheſt Rent be reſerved by every ſuch Leaſe, for the Land thereby demiſed,

that

that can be reasonably had for the same, at the Time of making such Lease without Fine, and in Case one third Part of the Land demised by any one such Lease, shall be formed into a Bleach-Yard or Bleach-Green within Three Years after the making of such Lease, and a Sum or Sums of Money not less than Ten Pounds for every Acre demised by such Lease, shall be laid out within the said Three Years in Improvements, for the Purpose only of carrying on the Bleaching Business on the same, then, and not otherwise, such Lease shall be good and effectual notwithstanding any Settlement restraining such Tenant for Life or in Tail, from making such Lease or Leases. CHAP. IX.

CHAP. X.

AN

ACT

FOR

The more effectually carrying into Execution the Laws, heretofore made, to prevent the pernicious Practice of burning Land.

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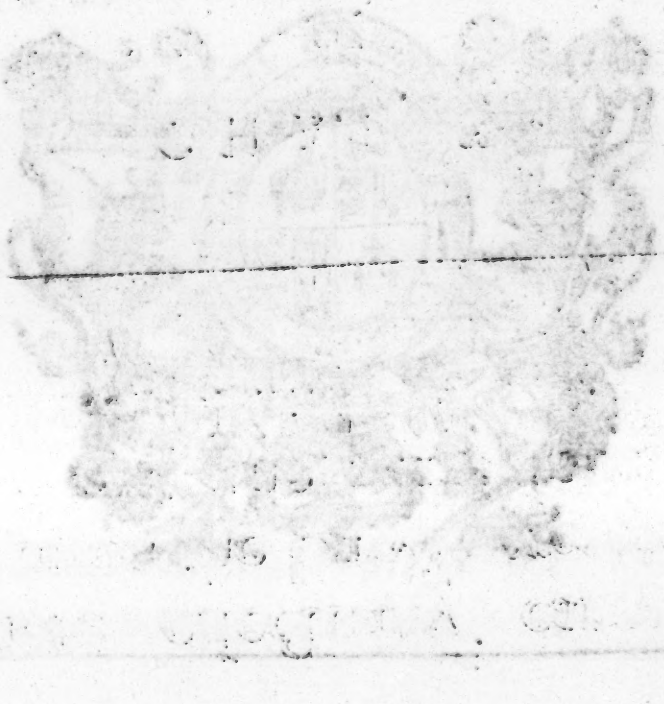


AN

ACT

FOR

The more effectually carrying into Execution the Laws heretofore made to prevent the pernicious Practice of burning Land.

CHAP. X.

CHAP. X.

WHEREAS an Act passed in the Seventeenth Year of the Reign of His late Majesty King George the Second, to prevent the pernicious Practice of burning Land, and for the more ef-

CHAP. X.

fectual deſtroying of Vermin, which Act, as to ſuch part thereof as relates to the burning of Land, was by an Act made in the Twenty firſt Year of the Reign of his late Majeſty continued until the Twenty ninth of September One thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament; and as to ſuch part thereof as relates to the burning of Land, was, by an Act paſſed in the Firſt Year of his preſent Majeſty King George the Third, intituled, An Act for Reviving, Continuing, and Amending ſeveral Temporary Statutes, with ſeveral Amendments, made perpetual: And whereas an Act paſſed in the laſt Seſſion, intituled, An Act for the more effectual preventing the pernicious Practice of burning Land: And whereas many Circumſtances have occurred, by Means of which ſaid recited Laws have been frequently evaded: For Remedy whereof, be it Enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Firſt Day of Auguſt which will be in the Year of our Lord One thouſand ſeven hundred and ſixty ſix, in all Caſes whatſoever,

whatsoever; whether the Soil or Surface of any Land shall be burned by the original Lessee or Lessees, or by the Occupier or Occupiers of such Land, that then, and in such Case, on Conviction, according to the Mode prescribed in the last recited Act, two or more Justices of the Peace in the respective County in which such burning of Land shall have been committed, shall issue their Warrant for levying the Penalties either for burning the Land, or preventing the Survey, according to the Tenor of the last recited Act or Acts, either against the Original Lessee, or any Tenant or Tenants deriving under said Original Lessee or Lessees, or the Immediate Occupier or Occupiers of such Land, at the Choice and Election of said Original Lessee or Lessees, his, her, or their Heirs or Assigns; and in case such Original Lessee or Lessees, or any deriving under him or them, shall remove from the County in which such Burning shall be committed, that any Chief Magistrate or Justice of the Peace, within whose Jurisdiction such Person or Persons shall be found, shall back and enforce the Warrant granted by said Justices of the Peace before whom the Conviction was so had as aforesaid, and thereupon the Penalty or

CHAP. X.

Penalties forfeited, together with the Costs of Surveying as aforesaid, shall be levied on the Goods and Chattels of said Person or Persons, in like Manner, and with such like Powers, as have been provided by the last recited Act in the Case of any Offender or Offenders against said Act, removing his or their Goods to another County; and that any Chief Magistrate or Justice of the Peace, within whose Jurisdiction such Original Lessee, or Tenant deriving under him, may be or reside, shall back and enforce such Summons or Summonses to be served, as by the above recited Act, on said Original Lessee or Intermediate Tenant chargeable with such Offence, and that the Original Lessee or Intermediate Tenant, on whom said Penalties shall be levied, shall have his Remedy and Indemnification against the Occupier or Occupiers of the Land, in such Manner, as by the above recited Act has been provided for the Original Lessee.

And be it Enacted by the Authority aforesaid, That in Default of Payment, according to the last recited Act, on Application of any Prosecutor or Prosecutors, and Proof made of the Conviction, it shall and may be lawful to and for such Justices

tices before whom the Party or Parties was or were convicted, or Chief Magistrate or Justice who backed the Warrant, to commit the Offender or Offenders to the Common Gaol, as directed by said Act, there to remain for the Space of not less than Three Months, nor more than Twelve Months, to be proportioned by the Discretion of said Chief Magistrate, Justice or Justices of the Peace, to the Quantity of Land respectively by or under him or them so burned.

And be it further Enacted by the Authority aforesaid, That all Bishops, Deans and Chapters, and other Corporate Bodies, who may under their respective Corporate Rights be possessed of Landed Estates, shall and may have and enjoy all the same Remedies conferred by the above recited Laws, in such Manner as if they were to be deemed Heirs to their Predecessors in such Estates and Lands.

CHAP. XI.

AN

ACT

FOR

Allowing further Time to Perſons in Offices or Employments to Qualify themſelves purſuant to an Act, intituled, *An Act to prevent the further Growth of Popery.*

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

Allowing further Time to Perſons in Offices or Employments to Qualify themſelves purſuant to an Act, intituled, *An Act to prevent the further Growth of Popery.*

CHAP. XI.

CHAP. XI.

WHEREAS ſeveral Perſons well affected to His Majeſty's Government, and the Church of Ireland as by Law eſtabliſhed, may have, through Ignorance, neglected, or been prevented by Sickneſs, or other unavoidable Cauſes,

CHAP. XI.

from taking and subscribing the Oaths, and making and subscribing the Declaration, and from receiving the Sacrament of the Lord's Supper, according to the Directions of an Act made in this Kingdom, in the Second Year of the Reign of Her late Majesty Queen Anne, intituled, An Act to prevent the further Growth of Popery, and by their Inadvertency may have incurred great Penalties: Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That all and every Person or Persons, who have incurred any Penalties and Incapacities in the said Act, intituled An Act to prevent the further Growth of Popery, mentioned, by neglecting to Qualify themselves according to the said Act, shall be, and are hereby indemnified, freed, and discharged of and from all Incapacities, Disabilities, Forfeitures and Penalties incurred by Reason of such Omission or Neglect as aforesaid, and that no Act or Acts done by them, or any of them, or by Authority derived from them, or any of them, and not yet avoided, shall be questioned or

avoided

avoided by Reason of such Neglect or Omission, but all such Acts shall be, and are hereby declared and enacted to be as good and effectual, as if all and every such Person and Persons had taken and subscribed the said Oaths, and received the said Sacrament, and made and subscribed the said Declaration in Manner as aforesaid; any Thing in the said Act to the contrary notwithstanding: Provided such Person or Persons do, and shall take and subscribe the said Oaths, and receive the said Sacrament, and make, repeat, and subscribe the said Declaration, in such Manner and Form, and in such Place and Places as are directed and appointed by the said Act, to prevent the further Growth of Popery, on or before the First Day of August, which shall be in the Year of Our Lord One thousand seven hundred and fifty six.

And whereas several of His Majesty's Subjects are often preferred in the Army residing in Great Britain, by which they are, by the Laws in Force in that Kingdom, obliged to Qualify themselves in some Part of Great Britain, by receiving the Sacrament, taking the Oaths, and subscribing the Declaration within the

CHAP. XI.

Time mentioned in such Laws: And whereas the Regiment or Regiments in which such Officer or Officers have Commissions so granted to them, are ofte ordered into this Kingdom, and put upon this Establishment, by which a Doubt has arisen, whether such Officer or Officers, notwithstanding he or they having Qualified themselves in Great Britain for such Commissions according to the said Laws, are not by the Laws in Force in this Kingdom obliged to Qualify themselves after their Arrival here, for such Commissions, according to an Act of Parliament passed in this Kingdom, in the Second Year of the Reign of Her late Majesty Queen Anne, intituled, An Act to prevent the further Growth of Popery: Be it Enacted by the Authority aforesaid, That no Officer or Officers so preferred in Great Britain, who shall have Qualified him or themselves for such Commission or Commissions according to, and within the Time limited by the said Laws made in Great Britain, shall be obliged to Qualify him or themselves in this Kingdom, for such Commission or Commissions so granted to him or them in such Regiment or Regiments, after their Arrival in this Kingdom, and being put upon this Establishment;

ment; any Law, Usage, or Custom to the contrary notwithstanding. CHAP. XI.

Provided allways, That this Act, or any Thing herein contained, shall not extend to restore or intitle any Person or Persons to any Office or Employment already actually avoided by Judgment of any of His Majesty's Courts of Record, or already filled up by any other Person, but that such Office or Employment shall be and remain in the Person or Persons who is or are now intitled by Law to the same, as if this Act had never been made.

CHAP. XII.

AN

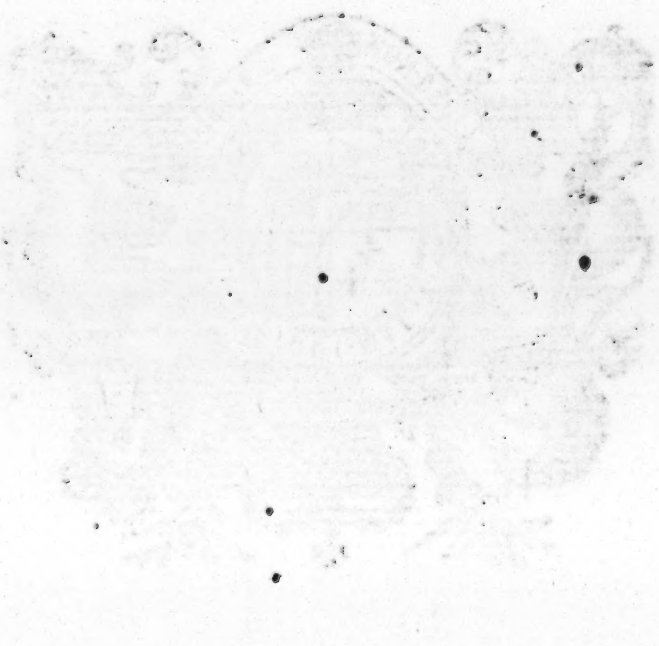
ACT

FOR

Directing the Application of the Sum of Eight Thouſand Pounds, granted to the *Dublin Society*, for the Encouragement of ſuch Trades and Manufactures as ſhould be directed by Parliament.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.



XII.

AN

ACT

FOR

Directing the Application of the Sum of Eight Thouſand Pounds, granted to the *Dublin Society*, for the Encouragement of ſuch Trades and Manufactures as ſhould be directed by Parliament.

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WHEREAS by an Act made this Seſſion, intitled, An Act for Granting and Continuing to His Majeſty an Additional Duty on Beer, Ale, ſtrong Waters, Wine, Tobacco, Hides, and other Goods and Mer-

CHAP. XII.

Merchandizes therein mentioned, and for prohibiting the Importation of all Gold and Silver Lace (except of the Manufacture of *Great Britain*) it is amongſt other Things Enacted, That the Sum of Eight Thouſand Pounds ſhould be paid to the Dublin Society for the Encouragement of ſuch Trades and Manufactures as ſhould be directed by Parliament: And whereas an Act paſſed the laſt Seſſion of Parliament, for directing the Application of the Sum of Eight Thouſand Pounds granted that Seſſion to the ſaid Dublin Society for the Encouragement of ſuch Trades and Manufactures as therein is mentioned: And whereas part of the ſaid laſt mentioned Sum remains in the Hands of the ſaid Society unapplied: In Order therefore to direct and regulate the Application of the ſaid Sum of Eight Thouſand Pounds, granted as aforeſaid this Seſſion of Parliament, and ſuch Part of the ſaid Sum of Eight Thouſand Pounds, granted the laſt Seſſion, as ſhall remain unapplied under the ſaid recited Act: Be it Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame,

That

That it ſhall and may be lawful to and for the ſaid Dublin Society to diſpoſe of the ſaid ſeveral Sums for the Purpoſes, and in the Manner herein after mentioned: (that is to ſay) for the Encouragement of the Silk, Woollen, Leather, Iron or Steel, Copper or Braſs, Paper, Glaſs, and Earthen Ware Manufacture, mixed Manufactures of Silk, Wool, Cotton, Mohair, or Linen Thread, Gold or Silver Thread, or Laces thereof manufactured, and of the Manufacture of Printing, Stamping, and Staining of Linens or Cottons. CHAP. XII.

And be it Enacted by the Authority aforeſaid, That the ſaid Dublin Society ſhall, on ſome Day previous to the Twenty Fourth of June in every Year, till the ſaid Sum of Eight Thouſand Pounds granted this Seſſion of Parliament, and ſuch Part of the Sum of Eight Thouſand Pounds granted laſt Seſſion of Parliament, as remains unapplied, or ſhall remain at any Time hereafter unapplied, be wholly applied and diſpoſed of, reſolve and determine how much Money ſhall be applied for the Encouragement of each of ſaid Manufactures and Trades in each Year, and ſhall cauſe ſuch Reſolution to

CHAP. XII.

be entered in their Books and published in the Dublin Gazette.

And be it further Enacted by the Authority aforesaid, That the Dublin Society, on or before the Tenth Day of December in every Year, shall regulate and settle in what Manner the respective Sums, which shall be so allotted as aforesaid for the Encouragement of the said respective Manufactures and Trades, shall be paid and distributed in each Year, and shall cause such Resolution to be entered in their Books, and published in the Dublin Gazette.

Provided allways, That no Person shall be capable of receiving any Part of the said Sums, for any Goods which shall not be manufactured or made, subsequent to the Time of determining how much Money shall be applied for the Encouragement of the said Manufactures and Trades, in each Year: Provided also that such Distribution so to be made, shall be made according to the Quantity and Quality of the Goods so to be manufactured.

And

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And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Dublin Society, to make such Orders and Regulations for examining the Quantity and Quality of such Goods, for which any Premium shall be demanded, as they shall judge most expedient for the publick Service, and most likely to prevent any Frauds in the Person or Persons who shall claim to be entitled to such Premiums, and in Case any Disputes shall arise touching the Right of any Person or Persons to such Premium, the Dublin Society shall finally determine the same.

And be it further Enacted by the Authority aforesaid, That no Member of the said Society shall be intitled to vote in the said Society, on any Pretence whatsoever, who shall be indebted more than One Years Subscription to the same.

CHAP. XIII.

AN

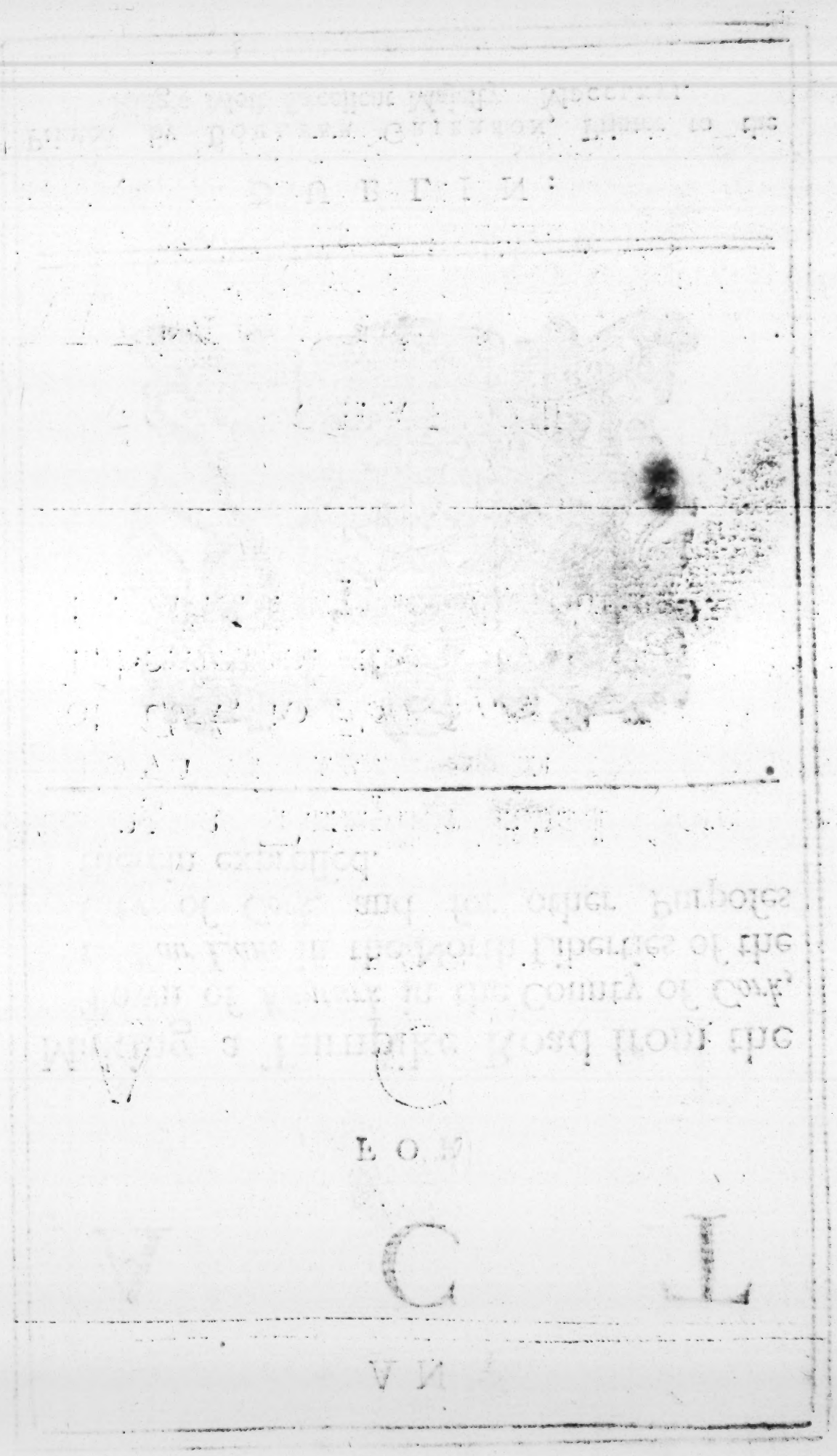
ACT

FOR

Making a Turnpike Road from the Town of *Kanturk* in the County of *Cork*, to *Fair Lane* in the North Liberties of the City of *Cork*, and for other Purpoſes therein expreſſed.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.



AN

ACT

FOR

Making a Turnpike Road from the Town of *Kanturk* in the County of *Cork*, to *Fair-Lane* in the North Liberties of the City of *Cork*, and for other Purpoſes therein expreſſed.

CHAP. XIII.

CHAP. XIII.

WHEREAS the old frequented Highways or Roads leading from the Town of Kanturk in the County of Cork, to Fair-Lane in the North Liberties of the City of Cork, are become ſo ruinous

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and bad, that many parts thereof are impaſſible and very dangerous for Travellers, and cannot, by the ordinary Means appointed by the Laws and Statutes of this Realm now in Force, be effectually amended and kept in good Repair: And whereas from a late Survey it appears that a much better and ſhorter Road by two Miles and one hundred and twenty three Perch Plantation Meaſure, may be made from Kanturk to the City of Cork aforeſaid, in the following Direction, to wit, from Kanturk aforeſaid to the New Ridge over the River Black Water, and from thence to and thorough the Lands of Gortmore, and to and thorough the Lands of Gortavoker, Ballinvulkin, Curraghbower, Kilgobnet and Gneeves, and from thence to the old frequented Road leading to Aghadullane, and from thence to and thorough the Lands of Pluckanſe, Garryadeen, Newcaſtle, Garrycloyn, Knocknalyre, Knocknaſove, Ballygubeen, Ardamadane, Curraghnalaght, Clogheenmilcon, Monard, Rathpeakan and Killeens, and from thence to Fair Lane in the North Suburbs of the City of Cork aforeſaid; and that it would be a Publick Utility to make, repair, and carry the old Croſs Road which begins at Knocknaſove Pound, and terminates at the old Road

Road on the Lands of Clogheens, in the following Line and Direction (that is to say) from and beginning at the Pound of Knocknasove, and running from thence to and through the Lands of Knockacurrabally, the Mill Field, Inchemore, Killishil, Killard, and Clogheens, and so on in a direct Line to the City of Cork aforesaid: Wherefore, and to the Intent that such Roads may with convenient Speed be effectually made, amended, and kept in good Repair, Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That for the better Surveying, Ordering, Making, Amending, and keeping in Repair the said Highways or Roads, it shall and may be in the Power of the Right Honourable Edmond Earl of Cork, the Right Honourable John Earl of Egmont, the Right Honourable Richard Earl of Shannon, the Right Honourable William Earl of Inchiquin, the Right Honourable Hayes Lord Viscount Doneraile, the Right Honourable Stephen Lord Viscount Mountcashell, the Right Honourable John Lysaght Lord Baron Lisle of Mount North, the Honourable Francis Annesley Esquire, the Ho-

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nourable John Lyſaght Eſquire, the Right Honourable John Hely Hutchinſon, Sir Robert Deane Baronet, Sir John Conway Colthurſt Baronet, St. John Jefferyes, Richard Fitz-Gerald, St. Leger Aldworth, Richard Townſend, Richard Aldworth, Boyle Aldworth, Cornelius O'Callaghan of Bantyre, Richard Newman, William Ponſonby, Silver Oliver, Henry Sheares, James Dennis, Richard Johnſon, James Devonſher, Francis Kearney, James Kearney, Edward Thornhill, William Verling, William Snowe, William Parks, Barry Velverſton, Adam Newman, Richard Newman the Younger, William Freeman, Robert Tilſon, Deane Thomas Webb, Matthias Earbury, William Hull, Denham Jephſon, Abraham Devonſher, William Jephſon, John Colthurſt, Nicholas Dunſcombe, Riggs Falkiner, Wallis Colthurſt, John Carleton, John Spread, Robert Nettles, Epenetus Croſs, William Crooke, Abraham Morris, Cornelius Townſend, Maſſey Hutchinſon, Walter Atkins, Mathew Parker, James Collins, Richard Eyre, James Harmet, John Leather, John Bowen, Anthony Cooper, Maurice Copinger, William Fuller, Thomas Strettle, Joſeph Devonſher, John Barry, Edmond Barrett, Stephen Mills, Henry Baldwin, Robert Warren, Thomas Croker, William Crooke the Elder, Bartholemew Purdon, Thomas Weeks, Chriſtopher Carleton, George Piercy, Francis Grey, John Dennis, Cooper Penroſe, James

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James Lombard, Henry Bowerman, Henry Wrixon of Ballygiblin, Henry Wrixon of Blossomfort, Arthur Bastable, John Wallis, Nicholas Chinnery, James Purcel, Joseph Capell, William Spread, Thomas Butler, Joseph Wetherall, James Grove, Henry Cole, Bowen and George Stawell Esquires, the Reverend James Kingston, the Reverend Richard Purcell, the Reverend Edward Lombard, the Reverend Horatio Townsend, the Reverend Richard Pigott, the Reverend Norris Jephson, the Reverend Jackson Burnet, the Reverend James Stopford, the Reverend John Oliver, John Purcell, Goodwin Purcell, Roger Adams, Abraham Allen, John Philpot, Luke Philpot, Manus O'Keefe, Stephen Minton, Thomas Glover, William White, John Henesy, James Henesy, both of Park, Joseph Collins, Pierse Power, David Power, Thomas Harmond, William Mc. Creight, Thomas Adams, Moses Newsom, Henry Newsom, Robert Campion, Thomas Franks of Carrig, Thomas Franks Junior, Thomas Courtney, John Dowling, John Kingston, Robert Nash, George Allen, Philip Allen, Thomas Purcell, Richard Webb, William Harris, Philip Glover, Philip Barry, Richard Harris, Stephen Creagh, Edward Rubie, William Allen and Richard Purcell Gentlemen, and the Survivors and Survivor of them, who he may may be nominated and appointed Trustees of the

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ſaid Roads, and that they, or any ſeven or more of them, or ſuch Perſon or Perſons as they or any ſeven or more of them ſhall authorize and appoint, ſhall and may erect, or cauſe to be erected one or more Gate or Gates, Turnpike or Turnpikes, Toll-houſe or Toll-houſes, in, upon, or acroſs any Part or Parts of the ſaid Highways or Roads, and alſo a Toll-houſe and Turnpike to be erected and fixed at Aughacloghduffe, on the Lands of Killcons aforeſaid, and another Toll-houſe and Turnpike at the South Eaſt Side of Knockacorabally aforeſaid, near John Mahony's Houſe on ſaid Lands of Knockacorabally aforeſaid, there to remain during the Continuance of this preſent Act, and that at the ſaid Gates and Toll-houſes, and at every Toll-houſe, Gate, or Turnpike to be erected purſuant to this Act, there ſhall be received and taken the Tolls and Duties following, before any Horſe, Mare, Gelding, Aſs or Mule, Cattle, Coach, Berlin, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, Carr, or other Carriages, ſhall be permitted to paſs through the ſame (that is to ſay) for every Coach, Berlin, Chariot, Calaſh, Chaiſe or Chair, drawn by ſix Horſes, Geldings, Mares or Mules, the Sum of One Shilling

ing

ing and seven Pence halfpenny; for every Coach, Berlin, Chariot, Calash, Chaise or Chair, drawn by four Horses, Geldings, Mares or Mules, the Sum of One Shilling and one Penny; for every Coach, Berlin, Chariot, Calash, Chaise or Chair, drawn by two Horses, Geldings, Mares or Mules, the Sum of Six Pence halfpenny; for every Waggon, Wain, Cart or Carriage with four Wheels, Ten Shillings and ten Pence; for every Wain, Cart or Carriage with two Wheels, drawn with more than two Horses, Mares, Geldings, Oxen, Asses, or Mules, the Sum of One Shilling and six Pence halfpenny; for every Cart, or other Carriage, drawn by two Horses, Geldings or Mares, the Sum of Four Pence; for every Carriage, commonly called a Chair or Chaise with one Horse, Mare or Gelding, or Mule, the Sum of Four Pence; for every Cart or other Carriage, drawn by one Horse, Mare, Gelding, Ass or Mule only, the Sum of Two Pence; for every Horse, Mare, Gelding, Ass or Mule, not drawing, One Penny Halfpenny, except Horses carrying Turf to the City of Cork for Sale, and for them only One Penny; to be collected only within four Miles of the City of Cork, and to be Toll free at all other Gates;

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and likewise excepting every Cart or other Carriage, carrying Lime, Stone, Dung, and other Manure or Culm from the Coal Mines to Gortavoher, which are to pass free of Toll; and that all Carriages carrying any Manure on any Part of the said Road, shall be exempt from paying any Toll whatsoever; for every Drove of Oxen, or Neat Cattle, the Sum of One Shilling and eight Pence by the Score, and so in Proportion for any greater or lesser Number; for every Drove of Calves, Hoggs, Sheep, or Lambs, the Sum of Ten Pence by the Score, and so in Proportion for any greater or lesser Number; which said respective Sum and Sums of Money shall be demanded and taken in the Name of, or as a Toll or Duty, and the Money so to be raised, is and shall be hereby vested in the said Trustees, and the same and every Part thereof shall be paid, applied, and disposed of, and be assigned to and for the several Uses, Intents and Purposes, and in such Manner as is herein after mentioned and directed; and that the said Trustees, or any Thirteen or more of them, be authorized and impowered by themselves, or any Person or Persons by them, or any Thirteen or more of them, under their Hands and Seals there-

thereunto authorized, to levy the Tolls or Duties hereby required to be paid, from any Person or Persons who shall, after demand made thereof, neglect or refuse to pay the same, by Distress of any Horse or other Cattle, or Goods, upon which such Toll or Duty is by this Act imposed, or upon any of the Goods and Chattles of any such Person or Persons who ought to pay the same, and to detain and keep the same until such Toll or Duty, with the reasonable Charges of such distraining and keeping shall be paid, and that it shall and may be lawful to and for the Person or Persons so distraining, after the Space of five Days after such Distress made or taken, to sell the Goods distrained, returning the Overplus (if any be) upon Demand, to the Owner, after such Toll, Duty, and reasonable Charges for distraining, keeping, and selling the same, shall be deducted and paid; which Charges are to be ascertained by one of His Majesty's Justices of the Peace for the said County. CHAP. XIII.

And whereas the making and repairing of the said Roads, by their great Length of Way, and the Want of proper Materials, is considered an Undertaking attend-

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ed with such Expence, as must lay the said Trustees under Difficulties to raise sufficient Money for compleating the same in any reasonable Time: and whereas Richard Williams of Kanturk aforesaid, Gentleman, hath proposed not only to be at the necessary Expence of soliciting and defraying the Fees of the several Offices in this Kingdom and Great Britain in obtaining this present Act of Parliament, but also to lay out and expend his own proper Money in making and repairing the said Roads, and to build and erect several Bridges, Turnpike Gates, and Toll Houses on the said Roads, at the aforesaid Rates, which Proposal of the said Richard Williams is contained in the Words following (that is to say)

I *Richard Williams* of *Kanturk* in the County of *Cork*, Gentleman, do propose to undertake and make a Turnpike Road from the Town of *Kanturk* to the City of *Cork*, in the following Direction, to wit, from *Kanturk* aforesaid, to the New Bridge over the River *Blackwater*, and from thence through *Gortmore* to *Gortovoher*, *Ballinvullin*, *Curraghbower*, *Kilgobnet*, and *Gneeves*, and from thence to the old frequented Road leading to *Aghadullane*, and from thence to *Pluckans*, *Garryadeen*, *Newcastle*, *Garrycloyn*, *Knocknalyre*,

Knocknalyre, *Knocknaſove*, *Ballygubeen*, *Ardamadane*, *Curraghnalaght*, *Clogheen*, *Melcome*, *Monare*, *Rathpeaken*, and *Killeens*, and from thence to *Fair Lane* in the North Suburbs of the City of *Cork* aforeſaid; and alſo a Branch of the ſaid Road, beginning at the Pound of *Knocknaſove*, and running from thence to *Knockacurrabally*, the *Mill Field*, *Inchemore*, *Killiſhill*, *Killard*, and *Clogheens*, and ſo on to the City of *Cork* aforeſaid, containing in the Whole in Length, by Computation, ſix thouſand ſix hundred and thirty one Perches Plantation Meaſure, or twenty Miles and two hundred and thirty one Perches Plantation Meaſure, and to build five ſmall Bridges in the ſaid Road, which are abſolutely wanting, at the Rate of Twelve Shillings by the Perch, including all other neceſſary Bridges, Turnpike Gates, and Toll Houſes, for each and every Perch of the ſaid Road in Length; and in caſe the ſaid Turnpike Road ſhall meaſure more or leſs than the above Computation, then the Expence of making the ſaid Road, Toll-Houſes, and Bridges to be increaſed or diminiſhed according to the above Rate of Twelve Shillings by the Perch, the ſaid Road to be made in ſhort and ſtraight Lines from and to the above mentioned Places, as the Nature of the Ground will permit; provided the ſame ſhall not be carried through any Houſe, Garden, Planted Walk, Avenue, Walled Park, Paddock,

CHAP. XIII.

Orchard, or Plantation, and that the ſaid Road ſhall be thirty Feet broad within the Trenches, and ſixteen Feet of it in Breadth, ſufficiently gravelled from End to End, to be begun the firſt Day of *May* next, and carried on with all convenient Speed, ſo as to have it quite finiſhed in Eight Years, Turnpike Gates and Toll-Houſes to be erected, and all kept in Repair during the Term in the Act for that Purpoſe ſpecified; all which, and the neceſſary Expences of procuring the ſaid Act of Parliament, ſhall be at my own Expence; provided that the ſaid Act ſhall have Continuance for a Term of Sixty one Years, and that the ſaid Tolls and Duties in the ſaid Act be ſecured to be paid to me, my Executors, Adminiſtrators, and Aſſigns, till the Principal and Intereſt of the Expences of making the ſaid Road, erecting the Turnpike Gates, Toll-Houſes, and Bridges, according to the above Rates, and of the procuring the ſaid Act of Parliament be repaid, Gates and Toll-Houſes to be fixed in ſuch Parts of the ſaid Road, where they will beſt anſwer, and ſecure the Payment of the Tolls and Duties; and upon Failure of keeping the ſaid Road, Bridges, Houſes, and Gates in Repair after the Term of Eight Years, that it ſhall be in the Power of the Truſtees, to be appointed by the ſaid Act, or any Seven or more of them, after giving Ten Days Notice,

to

to apply a ſufficient Part of the ſaid Tolls towards compleating the Repairs of the ſaid Road. CHAP. XIII.

And be it Enacted by the Authority aforeſaid, That it ſhall and may be in the Power of the ſaid Truſtees, or any Twenty or more of them, at their firſt Meeting at Richard Barrett's Houſe on the Lands of Pluckane in the County of Cork, at any Time after the paſſing of this preſent Act, by any Deed in Writing under their Hands and Seals, to contract with the ſaid Richard Williams, his Executors, Adminiſtrators, or Aſſigns, for repairing the ſaid Road, upon the Terms of the ſaid Propoſal, and to leaſe, mortgage, aſſign, or otherwiſe make over, the Tolls and Duties of the ſaid Roads to him or them for any Time or Term during the Continuance of this Act, till the Principal and Intereſt as abovementioned be paid, and to appoint him and them Surveyor and Surveyors of the ſaid Road.

Provided allways, and be it Enacted by the Authority aforeſaid, That in Caſe the ſaid Roads, or any of them, ſhall not be compleatly amended and repaired according to the ſaid Propoſal, on or before the

CHAP. XIII.

First Day of May, in the Year of Our Lord One thouſand ſeven hundred and ſeventy four, That it ſhall and may be in the Power of the ſaid Truſtees, or any Twenty or more of them, if it ſhall appear by the Oath of any other five of the ſaid Truſtees, that the ſaid Road is not compleated and kept in Repair from Time to Time according to the ſaid Propoſal, by any Act under their Hands and Seals, to Vacate any Contract, Leaſe, Mortgage, or Aſſignment that they ſhall ſo make, or have made with the ſaid Richard Williams, his Executors, Adminiſtrators and Aſſigns, and to appoint any other Overſeer or Undertaker they ſhall think proper, to compleat the ſaid Road, and if at any Time after the ſaid firſt Day of May One thouſand ſeven hundred and ſeventy four, the ſaid Road ſhall not, during the Continuance of this Act, be kept in ſufficient and proper Repair, that it ſhall and may be lawful for the ſaid Truſtees, or any twenty of them, to apply the Tolls and Duties ariſing on the ſaid Roads, to the amending and ſufficiently repairing all ſuch Parts thereof, as ſhall appear to the ſaid Truſtees to be out of Repair, and that from thenceforth the ſaid Richard Williams, his Executors, Adminiſtrators or Aſ-

ſigns,

ſigns, ſhall not be intitled to the ſaid Tolls and Duties during the Continuance of this Act.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any ſeven or more of them, ſhall be impowered to erect one or more Gate or Gates, Turnpike or Turnpikes on the Side of the ſaid Highways or Roads, croſs any Way or Lane leading out of the ſaid Road, and to build a Toll-houſe or Toll-houſes, and there to receive and take ſuch Toll and Tolls as is and are appointed by this Act to be taken, ſo as the ſame does not exceed to a double Charge, in caſe of paſſing the ſame Way through any other of the Turnpikes to be erected by Virtue of this Act.

Provided allways, That in Caſe there ſhall be more than one Gate or Turnpike, in, acroſs, or on the Side of the ſaid Highways or Roads intended to be made and repaired by this Act, no Perſon on having paid the Toll or Duty at the firſt Gate or Turnpike through which he ſhall paſs, and producing a Note or Ticket, that the ſaid Toll or Duty was paid, (which Note or Ticket, the Receiver and Receivers is

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and are hereby required to give gratis,) shall be liable to pay any Toll or Duty, at any other of the said Gates on the same Day, and no Person passing the Place where the Toll or Duty shall be paid, who shall return the same Day upon or with the same Horse or Carriage, shall be liable the same Day to pay the said Duty more than once. And provided allways, That no Toll be demanded or taken from any Person or Persons at any Side Gate, who do not travel, at least, half a Mile on said Road.

And be it Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, with any Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waggon, Wain, Cart, Carr, or other Carriage, or riding, or drawing any Horse, Mare, Ass, Mule, or any other Sort of Cattle, shall go out of the said Road into any Bye-ways, to avoid the Payment of the said Toll, by this present Act appointed to be paid, and shall thereof be convicted upon the Oath of One or more Witness or Witnesses before the said Trustees, or any three or more of them, who are hereby impowered and required to administer such Oath, or before one or more

Justice

Justice or Justices of the Peace for the County where such Offence shall be committed, who is, and are also hereby impowered and required to administer such Oath, such Person or Persons shall forfeit and pay to the Trustees above mentioned, or such Persons as may hereafter become Trustees by Virtue of this present Act, the Sum of Ten Shillings, to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of such Justice or Justices of the Peace, or under the Hands and Seals of the said Trustees, or any three or more of them, rendring the Overplus (if any be) to the Owner, the Charges of taking and disposing of the said Goods being first deducted.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any ten or more them, by themselves, and their proper and necessary Attendants, to enter upon, ascertain, describe, and set apart such Part and Proportion of the Lands adjoyning or contiguous to the said Highways or Roads, or which otherwise lay most convenient for carrying on, and continuing the said Highways or Roads,

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straight and in direct Lines, not being Houses, Gardens, Parks, or Paddocks adjoining Avenues, Orchards, Plantations, or planted Walks, as they the said Trustees, or any ten or more of them shall judge necessary for carrying the same straight and in a direct Line as aforesaid, and that the said Trustees, or any seven or more of them, shall be authorized and impowered to treat and agree with the Owners, and others interested in the said Ground to be made use of in carrying the said Road straight as aforesaid, for such Recompence and Satisfaction to be made for the same, out of the Tolls and Duties arising by Virtue of this present Act, as the said Trustees, or any ten or more of them shall think fit and reasonable, and in Case any Person or Persons shall neglect or refuse to treat or agree as aforesaid, or through any Disability by Nonage, Coverture, or special Limitation in any Settlement or Settlements, or by Reason of any other Impediment, cannot, or otherwise howsoever shall refuse to dispose of their respective Interests in such Lands, as the said Trustees, or any ten or more of them shall think convenient for the shortning the said Road, in every such Case the said Trustees, or any ten

or

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or more of them, shall and may issue forth their Warrant or Warrants to the Sheriff of the County of Cork, or to the Sheriff of the County of the City of Cork, wherein such Ground doth lye, requiring him or them to impannel and return before the Trustees, or any ten or more of them, at such Time and place within the said County, or County of the said City, as shall be appointed in such Warrant or Warrants, a sufficient Jury, who are hereby impowered to enter upon all or any of the said Lands, and view the same, and upon their Oath (which Oath the said Trustees, or any ten or more of them are hereby impowered and required to administer, shall enquire into, and by their Verdict or Verdicts ascertain the true and real Value of such Ground, so to be made use of for the said Highways or Roads, and that such Verdicts or Inquisitions as shall be so found and returned by the said Jury, ascertaining the Value of such Ground, shall be final and conclusive, as well to the said Trustees, as to the several and respective Proprietors of such Ground, notwithstanding any Disability or Incapacity whatsoever in such Proprietor or Proprietors; and that the said Trustees, or any Ten or more of them, upon paying to the re-

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twelve Proprietors of such Ground, such Sum and Sums of Money, or valuable Consideration, as shall be ascertained to be paid by such Verdict or Inquisition of the said Jury as aforesaid, are hereby authorized and empowered, and shall have free Liberty for themselves, or such person or persons as they shall appoint, to enter upon and make the said Highway or Road through the same, or any part thereof, in the Manner herein before directed and appointed; and that the said Trustees, or any seven or more of them, or any other Trustees to be chosen by Virtue of this Act, shall and may at any of their Meetings as aforesaid, as often as they shall think proper, summon the said Richard Williams, and all and every Receiver or Receivers of all and every the Tolls and Duties to be paid by this Act, before them, and audit and state their several and respective Accounts, and thereby, from Time to Time, to ascertain not only what Sum and Sums shall have been advanced and expended by the said Richard Williams or Assignee or any of the Purposes aforesaid, but also to ascertain what Sum or Sums of Money shall be from Time to Time raised by the said Richard Williams, his Executors, Administrators, and

and Assigns, for and on Account of the same, out of all and every the Tolls and Duties to arise and become payable by Virtue of this Act, and for that purpose to examine on Oath, not only such Receiver and Receivers of the said several Tolls and Duties, but also the said Richard Williams, his Executors, Administrators, and Assigns; which Oath or Oaths any One of the said Trustees, at a Board, is hereby impowered to administer, and for which no Fee or Reward shall be taken. CHAP. XIII.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Richard Williams, his Executors, Administrators, and Assigns, and for such Person and Persons as he or they shall appoint, to dig, raise, gather, take, and carry away, Gravel, Furze, Sand, Stones, or other Materials, out of any Waste or Common of any Parish, Town, Village, or Hamlet, in or near which any founderous or ruinous Place of the said Highways or Roads do lie, and for Want of sufficient Gravel, Furze, Sand, Stones, or other Materials, there to dig, gather, raise, take, and carry away the same, out of the Waste or Common of any neighbouring Parish,

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Town, Village, or Hamlet, without paying any Thing for the ſame: and where there is not ſufficient of ſuch Materials in any Commons or waſte Grounds near adjoining to be found, that it ſhall and may be lawful for him and them to enter upon, dig, raiſe, and gather the ſame, in the ſeveral Grounds of any Perſon or Perſons, not being a Garden, Orchard, Yard, or Meadow, planted Walk or Walks, or Avenue to a Houſe, where any ſuch Materials are or may be found, and from Time to Time to carry away ſuch and ſo much thereof as he or they ſhall judge neceſſary for the Repairing and Amending the ſaid Highways or Roads, paying ſuch Rate for ſuch Materials, to the Owner or Occupier of the Ground from whence the ſame ſhall be digged, raiſed, gathered, and carried away, as any Ten of the Truſtees, appointed or to be appointed to put this Act in Execution, ſhall adjudge reaſonable.

And be it further Enacted by the Authority aforeſaid, That no Perſon ſhall be hereafter elected a Truſtee to put this Act in Execution, who ſhall not actually be in the Poſſeſſion of a Freehold Eſtate of the clear yearly Value of Forty Pounds, at

the

the Time of his being elected a Truſtee, or who ſhall not have a perſonal Eſtate of the clear yearly Value of Six hundred Pounds; and that upon any Doubt ariſing touching the Value of ſuch Eſtates, that the Perſon ſo elected, before he ſhall be admitted to Act as a Truſtee, ſhall ſwear that his Eſtate is of the ſaid Value, before Seven or more of the ſaid Truſtees, aſſembled at a Board, which Oath any One of the ſaid Truſtees is hereby impowered and authorized to adminiſter.

And for preventing Frauds and Abuſes to elude and evade the Payment of the ſaid Tolls and Duties, be it Enacted by the Authority aforeſaid, That if any Perſon or Perſons, having paid the Toll or Duty by this Act granted and made payable, and having ſuch Note or Ticket, Notes or Tickets, as are hereby required, ſhall give or diſpoſe of the ſame to any Perſon or Perſons, in order to avoid the Payment of the ſaid Toll or Duty, that every ſuch Perſon, giving, diſpoſing of, or offering the ſaid Note or Notes, Ticket or Tickets, to any Perſon or Perſons, in order to paſs him, her, or them Toll-free, and the Perſon receiving ſuch Note or Ticket, Notes or Tickets, being thereof

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convicted, upon Oath of One or more Witness or Witnesses, before the said Trustees, or any Seven or more of them, or before any One or more Justice or Justices of the peace of the County wherein such Offence or Offences shall be committed, which Oath any One of the said Trustees, and the said Justice or Justices is and are hereby impowered to administer, shall respectively forfeit and pay for every such Offence the Sum of Ten Shillings, to be levied, recovered, and disposed of, as any other Penalty and Forfeiture is directed to be levied, recovered, and disposed of by this Act.

And be it further Enacted by the Authority aforesaid, That the Tolls or Duties hereby granted, shall take Place, and have Continuance from and after the First Day of May in the Year of our Lord One thousand seven hundred and sixty six, for and during the Term of Sixty one Years: Provided nevertheless, that if any Time before the Expiration of the said Term of Sixty one Years, all parts of the said Road shall be sufficiently amended and repaired, and so adjudged by the Majority of the Trustees appointed, or hereafter to be chosen by Virtue of this Act, by an

Adjudi-

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Adjudication made under their Hands and Seals, and that it shall in like Manner appear that all Sum and Sums of Money expended in making and repairing the said Roads, building and erecting Bridges, Gates, Toll-Houses, in making Compensation for all Grounds and Lands broke up in Search of Materials, and for all Grounds through which the said Road shall run, shall have been fully satisfied, with Interest for the same, and the Expences of this Act, and all other necessary Charges attending the Execution of this Act, that then, and from thenceforth, that the said Tolls and Duties shall cease and determine; any Thing herein contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That for the continuing of a sufficient Number of able Persons to be Trustees for putting in Execution all and every the Powers in this Act contained, for and during the Continuance thereof, it shall and may be lawful to and for the said Trustees, or any Fifteen or more of them, upon the Death of any of the said Trustees in the said Trust, from Time to Time, and at all Times hereafter, during the Term aforesaid, to elect, nominate, and

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appoint, in the Room of ſuch Truſtee or Truſtees ſo deceaſed, another fit and able Perſon, or ſo many more fit or able Perſons, living in the ſaid County of Cork, or in the County of the City of Cork, to be joined with the ſaid Truſtees in the Execution of all and every the Power and Powers in them repoſed by Virtue of this Act: and that all and every Perſon or Perſons to be choſen Truſtee or Truſtees, to join in putting this Act in Execution, as they are herein before qualified to do, ſhall and are hereby impowered to act, to all Intents and Purpoſes, in as full, large, and ample Manner, as the ſaid Truſtees are by this Act impowered to do, and ſo toties quoties, as Occaſion ſhall require.

And be it Enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be, a Publick Act, and be judicially taken Notice of as ſuch, by all Judges, Juſtices, and all other Perſons whatſoever, without ſpecially pleading the ſame.

AN

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AN

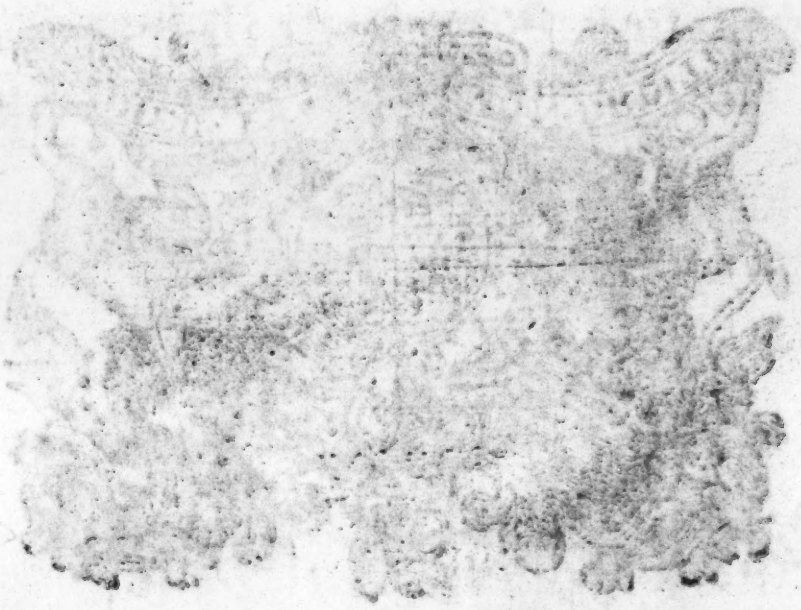
ACT

FOR

More effectually Amending the Publick Roads.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Most Excellent Majesty. MDCCLXVI.



AN

ACT

FOR

More effectually Amending the Publick Roads.

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WHEREAS Difficulties arise from the Multiplicity of the Laws heretofore made for the Amending or Repairing the Highways or Roads in this Kingdom, and it is found expedient to repeal the same, and

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to make a new Act containing all the parts of ſuch Laws as have proved effectual, and are proper to be continued, with ſuch Additions and Amendments as are herein after contained: Be it therefore Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Firſt Day of July One thouſand ſeven hundred and ſixty ſix, an Act paſſed in the Eleventh Year of the Reign of King James the Firſt, intituled, An Act for repairing and amending of Highways and Cauſes, and cutting or clearing of Paces; alſo an Act paſſed in the Tenth Year of the Reign of King Charles the Firſt, intituled, An Act concerning the repairing and amending of Bridges, Cauſeways, and Toghers in the Highways; alſo an Act paſſed in the Fourth Year of the Reign of Queen Anne, intituled, An Act to prevent the illegal raiſing of Money by Grand Juries, and the miſapplying of Money legally raiſed; alſo an Act paſſed in the Ninth Year of the Reign of her late Majeſty Queen Anne, intituled, An Act for the amending of the Highways and Roads in this Kingdom, and for the Application of the Six Days

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Days Labour; **also so much of an Act passed in the Sixth Year of the Reign of King** George **the First, intituled,** An Act for the better regulating the Parish Watches, and amending of the Highways in this Kingdom, and for preventing the Misapplication of Publick Money, **as relates to the amending the Highways in this Kingdom, and to the preventing the Misapplication of Publick Money; also an Act passed in the First Year of the Reign of his late Majesty King** George **the Second, intituled,** An Act for the more speedy and effectual Repair of Bridges in the several Counties of this Kingdom; **and also another Act passed in the First Year of the Reign of his late Majesty King** George **the Second, intituled,** An Act for explaining and amending several Laws made for amending the Highways and Roads in this Kingdom, and for the Application of the Six Days Labour; **also an Act passed in the Thirteenth Year of the Reign of His late Majesty King** George **the Second, intituled,** An Act to explain and amend an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the First, intituled, *An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for the preventing the Misapplication of Publick Money*; **also an Act passed in the Thirty third Year**

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of the Reign of His late Majeſty King George the Second, intituled, An Act to alter and amend the Laws for the Repair of Highways; alſo an Act paſſed in the Third Year of the Reign of His preſent Majeſty, intituled, An Act for regulating the Proceedings of Grand Juries in the preparing and forming of Preſentments for the levying of Money; alſo another Act paſſed in the Third Year of the Reign of His preſent Majeſty, intituled, An Act for amending an Act, intituled, *An Act to explain and amend an Act paſſed in the Sixth Year of the Reign of His late Majeſty King* George *the Firſt, intituled,* An Act for the better regulating the Pariſh Watches, and amending the Highways in this Kingdom, and for preventing the Miſapplication of Publick Money; be repealed and made null and void.

And for the more effectually repairing the publick Roads, or for making of new Roads, where neceſſary, in this Kingdom: Be it further Enacted by the Authority aforeſaid, That from and after the firſt Day of July One thouſand ſeven hundred and ſixty ſix, it ſhall be lawful for the Grand Jury of any County, at the Aſſizes, or for the Grand Jury of the County of Dublin, in Hillary and Trinity Terms every Year, to preſent ſuch Sum or Sums

of

of Money as they ſhall think fit, upon any Barony or Baronies in ſuch County, for the repairing old Roads, or making new Roads through ſuch Barony or Baronies, and alſo for the Wages of the Overſeer or Overſeers of every ſuch Road, not exceeding Three Pence for each Perch, ſo to be by him repaired according to this Act: Provided that no Money ſhall be ſo preſented for the repairing any old Road, unleſs an Affidavit ſhall be previouſly made by two credible Perſons who can read and write, before one of the Judges of Aſſize, or before two Juſtices of the Peace for the ſaid County, or before one of the Judges of his Majeſty's Court of King's Bench, if for the County of Dublin, who are hereby impowered to adminiſter the ſame in the following Form.

County of } *A. B.* of and *C. D.* of } do ſwear that they have lately viewed and meaſured Perches of the Road from to between and all in the Barony of in the ſaid County, and that it will require the Sum of ſufficiently to repair and make the ſaid Perches Feet wide, with Stones and Gravel, being at the Rate of by the Perch, which they

 verily

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verily believe is the leaſt the ſaid Perches can be ſufficiently repaired for.

Which Affidavit the Clerk of the Crown of ſuch County is hereby required to file and keep amongſt the Records of ſuch County; and that no Money ſhall be paid on Account of any ſuch Preſentment by the Treaſurer of any County, until the Affidavit of one of the Overſeers appointed by the Grand Jury, ſhorn before one of the Judges of Aſſize or Judges of the Court of King's Bench, and in the following Form, ſhall be allowed by the Grand Jury and by the Judges of Aſſize or Court of King's Bench.

County of } Whereas the Sum of
} was preſented by the Grand Jury of the ſaid County of at in the Year to be expended in repairing Perches of the Road from to between and being at the Rate of by the Perch. Now I of one of the Overſeers appointed by the Grand Jury for the ſaid Road, do ſwear, that I have faithfully and honeſtly expended the Sum of in repairing Perches of the ſaid Road; and that the ſaid Perches were effectually repaired by me

me as aforesaid, which Sum, with my Wages, at a Perch, amounts in the whole to the Sum of and that every part of the said Road, which hath been so repaired, hath been made fourteen Feet wide at the least, with Stones or Gravel, and is twenty one Feet wide in the Clear, within the Ditches, Drains, or Fences.

Which Affidavit the Clerk of the Crown for the County where the same shall be made, is hereby required to file and keep amongst the Records of the said County. Provided that no Money shall be so presented for the making any new Road, unless an Affidavit be first made by two credible Witnesses, who can read and write, sworn before two Justices of the Peace for the County where the Road to be made lies, who are hereby impowered to administer the same, or before one of the Judges of Assize, or Judges of the Court of King's Bench, which Affidavit shall be in the following Form:

County of { *A. B.* of and *C. D.* of do swear that they have lately viewed and measured Perches of a new Road lately laid out from to between and all in the Barony of in the said

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said County, and that it will require the Sum of to make the said Perches of Road thirty Feet wide in the Clear, and fourteen Feet wide at the least, with Stones or Gravel, being at the Rate of by the Perch, which they verily believe is the least the said Perches can be sufficiently made for.

Which Affidavit the Clerk of the Crown for the County where the same shall be made, is hereby required to file and keep amongst the Records of the said County; and that no Money shall be paid on Account of any such Presentment, by the Treasurer of any County, until the Affidavit of one of the Overseers appointed by the Grand Jury, sworn before one of the Judges of Assize or Judges of the Court of King's Bench, and in the following Form, shall be allowed by the Grand Jury, and by the Judge of Assize, or Judge of the Court of King's Bench.

County of } Whereas the Sum of
} was presented by the Grand Jury of the said County at in the Year to be expended in making Perches of the Road from to between

between and being at the Rate of by the Perch. Now I *A. B.* of one of the Overſeers appointed by the ſaid Grand Jury, do ſwear, that I have faithfully and honeſtly expended the Sum of in making Perches of the ſaid Road, and that the ſaid Perches were effectually made by me, as aforeſaid; which Sum, with my Wages, at *per* Perch amounts to and that the ſaid Perches are made fourteen Feet wide at the leaſt, with Stones or Gravel, and are thirty Feet wide in the Clear within the Drains, Ditches, or Fences. CHAP. XIV.

Which Affidavit the Clerk of the Crown for ſuch County, is hereby required to file and keep amongſt the Records of the ſaid County.

And be it further Enacted by the Authority aforeſaid, That if it ſhall appear to the Grand Jury of any County at the Aſſizes, or to the Grand Jury of the County of Dublin in Hillary or Trinity Term, by the Affidavit of two credible perſons, who can read and write, ſworn before two Juſtices of the peace, who are hereby impowered to adminiſter the ſame, or before one of the Judges of Aſſize, or one of the

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Judges of the Court of King's Bench, that any old Road in ſuch County, is not twenty one Feet wide in the clear of Drains, Ditches, or Fences, except where ſuch Road is incloſed on each Side by Walls five Feet high, or more, built with Lime and Stones, or Bricks, that then and in ſuch Caſe, ſuch Grand Jury may, and is hereby impowered to preſent ſuch old Road, to be widened to the Breadth of twenty one Feet in the Clear, within the Drains, Ditches, or Fences: And alſo ſuch Sum or Sums of Money as ſhall appear to them by the Affidavit of two credible Perſons, who can read and write, ſworn as before, to be neceſſary to widen ſuch Road, and to make Fences inſtead of thoſe that ſhall be taken down or deſtroyed, in Order to widen ſuch Road upon the Barony in which the ſaid Road is.

And be it further Enacted by the Authority aforeſaid, That it ſhall be lawful for the Grand Jury of any County at the Aſſizes, and for the Grand Jury of the County of Dublin, in Hillary or Trinity Term, at the Requeſt of any Perſon, by Preſentment, in which ſuch Perſon's Name ſhall be inſerted, to lay out new Roads in more convenient Lines from Market-town to

to Market-Town, or from any Market-town directly to the Sea, through the respective Counties; and to describe and ascertain the Lands and Places through which such new Roads shall be made; Maps of which Roads shall be left with the Clerk of the Crown, to be kept amongst the Records of the said County: Provided that no Part of such Roads shall be made through the Deer-Park of any Person, or through any Field inclosed with a Wall five Feet high, or more, built with Lime and Stones, or Bricks; or through the House, Offices, Gardens, or Orchards of six Years Growth, of any Person who inhabits a House built with Lime and Stones, or Bricks, unless the Consent of such Person be first obtained: And provided it shall first appear to the Grand Jury, and to the Judge of Assize, or Court of King's Bench, that Notice hath been given to the Treasurer of such County in Writing, and posted upon the Door of the County Court-house, by him, or some Person employed by him, seven Days at least previous to the Assizes or Sessions aforesaid; which Notice shall set forth, That an Application is intended to be made to the Grand Jury of such County, for a

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Presentment to make a new Road through the Lands of distinguishing each Townland, and the Barony through which the said new Road is to be made: And also that another such Notice hath been left with the Owner or Occupier of the Land, through which such new Road is to be made, or at the House of such Owner or Occupier, at least twenty one Days previous to the Assizes or Sessions aforesaid; and that a Map of such new Road hath been also left with the Treasurer along with such Notice, in Order that such Map may be inspected by any person whom it may concern: And if the Owner or Occupier of any part of the Land through which such new Roads are intended to be made, or any Freeholder of the County shall think himself or herself aggrieved by such Presentment, such Owner, Occupier, or Freeholder, may enter one or more Traverse or Traverses to such Presentment; which Traverse or Traverses shall be tried at the next Assizes or Sessions aforesaid, unless good Cause be shewn to the contrary; And the Jury to try the same shall assess fitting Damages to the Owner or Occupier for the Loss to be sustained thereby, which Verdict shall be con-

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tentitrive to such Owner or Occupier; and on Payment of such Damages as shall be found by such Jury, or on the same being lodged with the Treasurer of the County for the Use of such Owner or Occupier, the Overseer or Overseers of such new Road may begin and finish the same, without the Interruption of any Person: And that it shall be lawful for the Grand Jury of such County, by Presentment, to raise the Sum so assessed for Damages; and all such Sum or Sums of Money, as shall appear by the Affidavit of two credible Persons, who can read and write, sworn as before, to be necessary to fence the Land on each Side of such Roads, upon the County at large, or upon the Barony or Baronies through which such new Road is to be made, if they think fit: Provided such Sum for making such Fence or Fences, shall not exceed the Sum of Twelve Pence for each Perch of such Fence.

And be it further Enacted by the Authority aforesaid, That from henceforth no Money shall be raised by Presentment of Grand Juries on any entire Barony, for the Repair of the Roads thereof, where such Barony is separated into Divisions

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in the County Books, but that the Roads in each Division to be repaired or amended, shall be a particular Charge by the Presentment of Grand Juries on that Division, and not on the Barony at large.

And be it Enacted by the Authority aforesaid, That the Grand Jury of the County, and the County of the City of Dublin, in Easter or Hillary Term annually, are hereby impowered and required to raise on the County at large, in Manner as directed by this Act, such Sum and Sums of Money, as they shall from Time to Time think necessary for erecting and repairing Foot-paths, with Stiles, three Feet wide, by the Sides of Highways, within Six Miles of the City of Dublin, for the Convenience of Foot Travellers; and that no Horse or other Cattle shall be ridden or drove on such Foot-Paths, under the Penalty of Five Shillings for every Horse or other Beast that shall be so ridden or drove on such Foot-path, to be recovered upon the Oath of One or more Person or Persons, by Warrant under the Hand and Seal of any Justice of the Peace of the said County, by Distress and Sale of the Horse or other Beast or Beasts so ridden or driven, which Penalty shall be paid to the Informer.

And

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And that the Grand Jury of any County may present any old Road, or any part thereof to be stopped, where any Road has been or shall be made, which shall answer all the Purposes of such old Road, except such old Roads, concerning which Suits are now depending, either in Law or Equity.

Provided always, That it shall and may be lawful for any Person who shall think himself or herself aggrieved by such Presentment, for stopping up any old Road, to traverse such Presentment at the next Assizes, or at the second Assizes after; or if in the County of Dublin, in the next Term, or in the second Term after such Presentment shall be made, and such Traverse shall be tried by a Jury; and in case such Presentment shall not be traversed, or if traversed, a Verdict shall be found for the Presentment, such Presentment shall be confirmed: And that it shall be lawful for the Grand Jury of any County, at the Assizes, or for the Grand Jury of the County of Dublin, in Hillary or Trinity Term, by Presentment, to raise such Sum or Sums of Money, as they shall think fit, upon such County at large, for the Building, Rebuilding, or Repairing any Bridge or Part of a Bridge, or any

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in the County Books, but that the Roads in each Division to be repaired or amended, shall be a particular Charge by the Presentment of Grand Juries on that Division, and not on the Barony at large.

And be it Enacted by the Authority aforesaid, That the Grand Jury of the County, and the County of the City of Dublin, in Easter or Hillary Term annually, are hereby impowered and required to raise on the County at large, in Manner as directed by this Act, such Sum and Sums of Money, as they shall from Time to Time think necessary for erecting and repairing Foot-paths, with Stiles, three Feet wide, by the Sides of Highways, within Six Miles of the City of Dublin, for the Convenience of Foot Travellers; and that no Horse or other Cattle shall be ridden or drove on such Foot-Paths, under the Penalty of Five Shillings for every Horse or other Beast that shall be so ridden or drove on such Foot-Path, to be recovered upon the Oath of One or more Person or Persons, by Warrant under the Hand and Seal of any Justice of the Peace of the said County, by Distress and Sale of the Horse or other Beast or Beasts so ridden or driven, which Penalty shall be paid to the Informer.

And

And that the Grand Jury of any County may present any old Road, or any Part thereof to be stopped, where any Road has been or shall be made, which shall answer all the Purposes of such old Road, except such old Roads, concerning which Suits are now depending, either in Law or Equity.

Provided always, That it shall and may be lawful for any Person who shall think himself or herself aggrieved by such Presentment, for stopping up any old Road, to traverse such Presentment at the next Assizes, or at the second Assizes after; or if in the County of Dublin, in the next Term, or in the second Term after such Presentment shall be made, and such Traverse shall be tried by a Jury; and in case such Presentment shall not be traversed, or if traversed, a Verdict shall be found for the Presentment, such Presentment shall be confirmed: And that it shall be lawful for the Grand Jury of any County, at the Assizes, or for the Grand Jury of the County of Dublin, in Hillary or Trinity Term, by Presentment, to raise such Sum or Sums of Money, as they shall think fit, upon such County at large, for the Building, Rebuilding, or Repairing any Bridge or Part of a Bridge, or any

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Wall or part of a Wall, neceſſary to the Support of any Road in ſuch County: Provided, That no Money ſhall be ſo preſented by any Grand Jury, unleſs it ſhall appear by the Affidavit of two credible Maſons, ſworn as before is mentioned, that the Sum therein ſet forth, is a reaſonable Charge, to the beſt of their Judgment; and that the Work therein contained is neceſſary, and cannot be effectually done for a ſmaller Sum, according to the Plan and Eſtimate annexed to ſuch Affidavit, to the beſt of their Judgment; and that no Money ſhall be paid by the Treaſurer of any County, on Account of any ſuch Preſentment, or on Account of any Preſentment for the widening of Roads, until it ſhall appear to the Grand Jury, and to the Judge of Aſſize, or Court of King's Bench, by the Affidavit of One of the Overſeers appointed by the Grand Jury, ſworn before One of the Judges of Aſſize, or Court of King's Bench, that the Sum ſo preſented hath been faithfully and honeſtly expended in the Execution of the Work, for which ſuch Money was granted by ſuch Preſentment, to the beſt of his Skill and Judgment; and until the ſaid Account hath been allowed by the Grand Jury, and by the Judge of Aſſize, or

Court

Court of King's Bench; and that any Two Justices of the Peace of any County in this Kingdom, each having an Estate of Freehold in Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred Pounds at least, within such County, may, under their Hands and Seals, order any Sum, not exceeding Five Pounds, to be expended in repairing any Bridge within such County, which may be suddenly damaged, and which ought to be repaired by the said County: Provided it shall appear to them, by the Affidavit of two credible Persons who live in the Neighbourhood of, and have viewed such Bridge, that the Repair of such Bridge cannot be delayed to the next Assizes, or to the next Quarter-Sessions, if in the County of Dublin, without Prejudice to the County (as they verily believe); which Affidavit the said Two Justices are hereby impowered to take; and the said Justices may also appoint proper Overseers to repair the same; and the Grand Jury for every such County are hereby impowered and required to raise by Presentment, the Sum so expended in repairing any such Bridge, upon any such County at large, to be paid to the Overseer or Overseers so appointed by such Justices, upon his or

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their producing to such Grand Jury, such Affidavit as is before mentioned; and such Warrant, under the Hands and Seals of the said Two Justices, as also an Affidavit, sworn by One or more of such Overseers, before the Judge of Assize, or Court of King's Bench, or before Two Justices of the Peace for such County, that he or they have faithfully and honestly expended the Sum specified in such Affidavit, in repairing such Bridge.

And be it further Enacted by the Authority aforesaid, That any Justice of the Peace, qualified as aforesaid, upon the Affidavit of two substantial Householders, may, in like Manner, order any Sum of Money, not exceeding the Sum of Forty Shillings, to be expended in repairing any Breach or bad Step which may happen in any Road by a sudden Fall of Rain, or other Accident, and may appoint an Overseer to repair the same; and the Grand Juries of every County are hereby impowered and required to raise by Presentment, upon the Barony in which such Road is, the Sum so expended, on such Overseers performing such Requisites as the above mentioned Overseers of Bridges are required to perform: Provided that no Jus-

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tice of the Peace shall make above one such Order for any Road between Assizes and Assizes, under a Penalty of Ten Pounds, to be recovered by Civil Bill at the Assizes, by any Person who will sue for the same; one Moiety thereof to go to the Person who shall sue for the same, the other to the Poor of the Parish.

Provided allways, and be it further Enacted by the Authority aforesaid, That whenever it shall happen that any Sum of Money, presented to be raised by any Grand Jury for the making or repairing of any Road or Bridge, shall not or cannot be expended agreeably to such Presentment, and accounted for within a reasonable Time after such Presentment was made, that then it shall and may be lawful for the Grand Jury of the said County to present such Sum of Money, then in the Treasurer's Hands, to be expended in the making or repairing of any Road or Bridge in the Barony or Baronies upon which the former Sum was pretented to be raised, or in the County, if it was raised upon the County at large.

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And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons who now have, or ſhall hereafter have, any Ferry over any River, to erect and ſupport a Bridge at his or their own Expence, over ſuch River in the Place of ſuch Ferry, and to take and receive for paſſing ſuch Bridge, ſuch Toll, and no more, as they are entitled to receive for paſſing ſuch Ferry.

Provided always, That nothing herein contained ſhall extend to Ferries in Cities or Towns Corporate.

And be it further Enacted by the Authority aforeſaid, That the Grand Juries of the ſeveral Counties in this Kingdom, may, at the Aſſizes; or Quarter Seſſions, if in the County of Dublin, appoint a proper Perſon or Perſons to collect the Money preſented to be raiſed by the Grand Juries of ſuch Counties reſpectively, and may allow ſuch Perſon or Perſons any Sum not exceeding Six Pence in the Pound for collecting the ſame: Provided the Perſon or Perſons ſo appointed, ſhall give ſufficient Security before the Judge of Aſſize, or

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King's Bench, for the Payment of ſaid Money, to the Treaſurer of the ſaid County, on or before the ſecond Day of the next Aſſizes or Seſſions as aforeſaid: and the ſeveral Conſtables are hereby required to aid and aſſiſt ſuch Perſon or Perſons in collecting the Money ſo preſented, as alſo all Perſons impowered by this Act to levy Publick Money, which if any Conſtable ſo required ſhall refuſe to do, every ſuch Conſtable ſo refuſing, ſhall, upon Conviction by the Oath of two credible Witneſſes, before any Two Juſtices of the Peace of the County, City, or Town Corporate, where ſuch Offence ſhall be committed, forfeit for every ſuch Offence a Sum not exceeding Ten Pounds, to be levied, together with the Charges, by Diſtreſs and Sale of the Goods of the Offender, by the Warrant of any Two ſuch Juſtices of the Peace of ſuch County, City, or Town Corporate where ſuch Offence ſhall have been committed; one Moiety of which Penalty ſhall be paid to the Informer or Informers, and the other Moiety for the Poor of the Pariſh in which ſuch Offence ſhall have been committed: And that all Perſons impowered by this Act to levy or collect Publick Money, ſhall and may, and are hereby impowered by Diſtreſs and Sale of

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the Goods and Chattles of all ſuch Perſons who ſhall refuſe to pay their Proportion thereof, to levy the ſame, and after the Sale of ſuch Diſtreſs, to retain the Money which the ſaid Perſons ought to pay, rendering the Overplus (if any) to the Owner, after deducting Twelve Pence in the Pound for the Trouble in levying the ſame: And that the Treaſurer of each County ſhall at every Aſſizes or Seſſions as aforeſaid, demand from the Clerk of the Crown, Copies of all Preſentments made at that Aſſizes or Seſſions as aforeſaid, for the raiſing of Money, which the ſaid Clerk of the Crown ſhall forthwith, upon Demand of ſuch Treaſurer, make out and give to the ſaid Treaſurer, ſigned by him, and certified to be true Copies, without Fee or Reward; and if he ſhall fail or neglect to make out and give ſuch Copies, ſigned and certified as aforeſaid, to ſuch Treaſurer within fourteen Days after ſuch Demand made, he ſhall forfeit the Sum of Ten Pounds, which ſhall and may be recovered by any Perſon who will ſue for the ſame, by Action of Debt, Bill, Plaint, Suit, or Information in any of his Majeſty's Courts of Record in Dublin, in which no Eſſoign, Protection, Privilege, or Wager of Law, or more than one Imparlance

parlance shall be allowed; and the Treasurer of each County having received such Copies of the Presentments, signed and certified as aforesaid, shall thereupon issue his Orders for levying and collecting the several Sums of Money presented, which shall be thereupon levied and collected by the Person or Persons so as aforesaid impowered to levy and collect the same, and shall be paid on or before the second Day of the Assizes; or Quarter Sessions, if in the County of Dublin, to such Treasurer, by the said Person or Persons, and shall be accounted for by such Treasurer the last Day but one of the Assizes or Sessions as aforesaid; and that if it shall appear to any Judge, upon due Proof by two credible Persons upon Oath, at any Assizes or Sessions as aforesaid, within one Year after any Quere on any Presentment, by which Money was granted, has been discharged, that the Court was deceived by any Affidavit for discharging such Quere, and that the Money was not expended agreeably to the Presentment, the Judge of Assize, or Court of King's Bench may, notwithstanding such Quere was discharged, fine or issue Process in such Case against the Overseer or Overseers mentioned in such Presentment, as if the Quere had not been

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answered. And that it shall be lawful for the Overseer or Overseers of any Road, Bridge, or Wall, appointed by the Grand Jury of the County, or by any Turnpike Board, to dig and raise any Gravel, Stones, Sand, or other Materials which may be wanted for the building, rebuilding, making, or repairing of any Bridge, Road, or Wall, necessary to the Support of any Road, and to make Drains in order to carry off any Water that may hurt such Roads or Bridges, in or through the Lands of any Person, not being a Deer-park, Garden, or Yard, or in the planted Walk, Avenue, or Lawn, to the Mansion-House of any Person, and to carry away the said Materials, such Overseer making such Satisfaction to the Owner or Occupier of the Land, for what Damage may be done thereby, as shall be assessed by two substantial Householders of said County or Parish, one to be named by each of the Parties, who shall both be sworn by some neighbouring Justice of the Peace, to be Appraizers of such Damages, which Appraizers such Justices is hereby impowered to swear to make a true Estimate of such Damages, to the best of their Skill; and that if any Person shall obstruct or prevent such Overseer in digging, raising, or carrying

rying away such Materials, or in making such Drains, such Person and Persons shall, upon Conviction, by the Oath of two credible Witnesses before any Two Justices of the Peace of the County, City, or Town Corporate where such Offence shall be committed, forfeit for every such Offence, a Sum not exceeding Five Pounds, to be levied, together with the Charges, by Distress and Sale of the Goods of the Offender, by the Warrant of any Two such Justices of the Peace of such County, City, or Town Corporate, where such Offence shall have been committed: one Moiety of which Penalty shall be paid to the Informer or Informers, and the other Moiety for the Poor of the Parish in which such Offence shall have been committed. And the said Overseer shall give Notice to the Occupier of the Land adjoining the Roads, to scour the Drains or Ditches, or to cut or clip the Hedges by the Sides of the Roads, at a Height not exceeding five Feet, and to lop off the Branches of any Forest-Trees that shall be within sixteen Feet of the Centre of any Road, which shall overhang such Road, which if the Occupier shall neglect to do within ten Days after the Service of such Notice, any Justice of the Peace of the County

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where ſuch Road lies, may, by Warrant under his Hand and Seal, order the Overſeer of ſuch Road to have the ſaid Drains or Ditches effectually ſcoured, or the Hedges cut or clipped, or the Branches of ſuch Foreſt Trees lopped, and may, by ſuch Warrant, authorize ſuch Overſeer to levy the Expence thereof on the Goods of ſuch Occupiers, together with ſuch Wages to the ſaid Overſeer, as the ſaid Juſtice ſhall think fit, not exceeding Two Shillings for each Day that the ſaid Overſeer ſhall neceſſarily be employed in attending and performing ſuch Work: Provided that no Notice ſhall be given to cut or clip any Hedge, or lop the Branches of any Foreſt Trees, but between the Firſt Day of September and the Firſt Day of June in any Year.

And be it further Enacted by the Authority aforeſaid, That every Perſon who ſhall build any Houſe, or Part of a Houſe, within twenty five Feet of the Centre of any Road, except in Cities, Towns-Corporate, or Market-Towns; or keep any Cur-Dog, Maſtiff, or Bull-Dog, at any Houſe within two hundred Yards of any Road, without having a Block of Wood of the Weight of Five Pounds at leaſt, faſtened

fastened to the Neck of every such Dog; or shall lay any Turf, Dung, Straw, or Rubbish, or the scouring of Ditches or Drains, or other Filth, or any Stones or Timber upon any Part of any Road; or shall dig any Pit or Ditch, or build any Wall within fifteen Feet of the Centre of any Road; or shall leave any Cart, or other Carriage, in the Night Time, from Sun-set to Sun-rise, on any Part of any Road; or shall alter any Road, not being first authorized so to do by due Course of Law; or expose to Sale the Hide of any Beast in the Streets of any City or Town, through which Travellers usually pass; or scrape the Gravel off any Road, shall, upon Conviction, by the Oath of one credible Witness, before any Justice of the Peace of the County where such Offence shall be committed, for every such Offence forfeit a Sum not exceeding Ten Shillings, to be levied by Distress and Sale of the Goods of the Offender, by the Warrant of any one such Justice of the Peace of the County, or City, or Town-Corporate, in which such Offence shall be committed; and that if any Person shall draw any Mill-Stone on any Road, without supporting such Mill-Stone by a Carriage on Wheels, such Person shall, upon Con-

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viction by the Oath of one credible Witneſs before any Juſtice of the Peace of the County where ſuch Offence ſhall be committed, for every ſuch Offence, forfeit a Sum not exceeding Forty Shillings, to be levied by Diſtreſs and Sale of the Goods of the Offender, by the Warrant of any one ſuch Juſtice of the Peace of the County or City, or Town-Corporate, in which ſuch Offence ſhall be committed; and that any one Juſtice of the Peace within his Juriſdiction, may, upon the Information of any one credible Witneſs upon Oath, (which Oath every ſuch Juſtice is hereby impowered to adminiſter) by Warrant under his Hand and Seal, order any Houſe or Part of a Houſe hereafter built contrary to the Intent of this Act, to be pulled down; or any Dog, kept contrary to the Intent of this Act, to be killed; or any Pit or Ditch to be filled up; or any Wall to be thrown down, that ſhall be hereafter made or built contrary to this Act; As alſo the neceſſary Expences attending thereon, to be levied by Diſtreſs and Sale of the Offenders Goods and Chattles; and that any Perſon may take and carry away all ſuch Turf, Dung, Straw, or Rubbiſh, Filth, ſcouring of Ditches or Drains, or Stones, as he ſhall find ſo laid upon any

any Part of any Road, and apply the same to his own Use; and may kill any Dog that shall be kept contrary to this Act, without being sued or prosecuted for so doing.

And be it further Enacted by the Authority aforesaid, That the Vestries of the several Parishes in the several Cities in this Kingdom (except the Cities of Dublin and Cork) and that the Vestries of the several Parishes in the several Towns-Corporate, and Borough Towns in this Kingdom, and in the Market Town of Lurgan in the County of Armagh, may and are hereby impowered, if they think fit, to present and assess such Sum or Sums of Money as they shall think necessary, upon the Inhabitants of such Parishes respectively, living within the Bounds of such Cities and Towns, for the paving, gravelling, or cleansing the several Streets or Lanes through such Part of every such Parish, as is in such Cities and Towns; or for erecting Lamps to enlighten the Streets or Lanes in such Cities and Towns; and also to appoint proper Persons to applot, and to levy the Sum or Sums so presented by the said Vestry, and to allow the said Persons, any Sum

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not exceeding Twelve Pence for each Pound ſo aſſeſſed and levied, for their Trouble in aſſeſſing and levying the ſame; and to appoint proper Perſons to be Directors or Overſeers for the Expenditure of Money ſo preſented, who ſhall be obliged to account upon Oath to the Veſtry of ſuch Pariſh for the ſame; and to allow the ſaid Perſons any Sum, not exceeding Two Shillings, for each Day every ſuch Director or Overſeer ſhall be neceſſarily employed in directing or overſeeing ſuch Work: Provided that no Perſon ſhall have a Right to vote at any ſuch Veſtry, until he ſhall have firſt taken the following Oath, if thereto required by any Pariſhioner; which Oath the Miniſter of ſuch Pariſh is hereby empowered to adminiſter.

I *A. B.* do ſwear, that I am a Houſeholder of this Pariſh, and that I live within the Bounds of this City or Town; and that I am worth One hundred Pounds, over and above all the Debts I owe; and that I am not a Tenant at Will for the Houſe I live in.

And whereas the Roads in this Kingdom are very much annoyed and damaged by

by the narrow Wheels of Cars, Carts, and Drays, and by the Streaks being set on such Wheels with Spriggs or high-headed Nails: For preventing of which, be it further Enacted by the Authority aforesaid, That from and after the First Day of November One thousand seven hundred and sixty six, every Owner or Driver of any Cart, Car, Dray, or Waggon, the Wheels of which shall be of less Breadth or Gauge, than three Inches at the least from Side to Side, at the Bottom or Sole, when worn; and when the Streaks or Iron, with which such Wheels are bound, shall be set on with Spriggs or high-headed Nails, shall forfeit a Penalty of the Sum of Ten Shillings, whenever any such Car, Cart, Dray, or Waggon shall be used or drawn on any Road in this Kingdom, which Penalty shall be to the Person seizing the same; for Recovery whereof, it shall be lawful for any Person to seize any such Carriage, as also any Horse or Beast of Draft in such Car, Cart, Dray, or Waggon, with all the Harness or Accoutrements thereto belonging; and with all convenient Speed deliver up the said Horse or Beast of Draft, into the Custody of the Constable, Pound-Keeper, or Parish-Officer of the same, or of

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the adjacent Pariſh or Liberty, where ſuch Seizure ſhall be made, who are hereby required to receive and retain the ſame, for the Space of Twenty Four Hours, unleſs ſooner delivered by Virtue of a Warrant from a Juſtice of the Peace of the County where ſuch Seizure ſhall be made, in Manner hereafter directed, provided that the Perſon ſo ſeizing ſuch Horſe or Beaſt of Draft, ſhall, within the Space of Twenty four Hours, make Oath before ſome Juſtice of the Peace of ſuch County, who, being ſatisfied that ſuch Offence has been committed, ſhall iſſue his Warrant under his Hand and Seal to the Conſtable, Pound-Keeper, or Pariſh-Officer, in whoſe Cuſtody ſuch Horſe or Beaſt of Draft is, requiring him to deliver the ſame unto the Perſon named in ſuch Warrant, he firſt paying to ſuch Conſtable, Pound-Keeper, or Pariſh-Officer, the Sum of One Shilling for each Horſe or Beaſt of Draft, for his Care and Trouble in detaining the ſame, and upon Delivery of ſuch Diſtreſs to the Perſon named in ſuch Warrant, the ſame ſhall be to the ſole Uſe of the Perſon or Perſons ſo named in the ſaid Warrant, unleſs the Owner of the ſaid Beaſt or Beaſts, at the Time of ſuch Seizure, ſhall, before the Delivery

livery of the same, pay to the Person or Persons named in such Warrant, the Sum of Ten Shillings; on Payment whereof the said Constable, Pound-Keeper, or Parish-Officer, shall deliver such Beast or Beasts, with all their Harnels or Accoutrements, to the Owner or Owners of them, he or they paying the said Constable, Pound-Keeper, or Parish-Officer, One Shilling for each Beast for his Care and Trouble in keeping the same: And that if any Person shall hinder, or with Force obstruct the seizing or carrying off any such Seizure or Distress for the aforesaid Offences, or any of them, or shall rescue the same, or shall use any Violence to any Person concerned in making such Seizure or Distress, every Person so offending, shall, upon due Proof made upon Oath before any one Justice of the Peace for the County, City or County of the City where such Offence is committed, (which Oath such Justice is hereby impowered and required to administer) forfeit for every such Offence the Sum of Forty Shillings, to the Person who shall be so obstructed in making such Seizure, or in carrying off the same; to be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant of such Justice of Peace under his Hand

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and Seal; and that the several Collectors or Receivers of the Tolls and Customs in the several Cities, Towns-Corporate, Market-Towns, or Fairs, or of the several Bridges in this Kingdom, for the passage over which Tolls are paid, are hereby required and impowered to demand and levy from all Persons, double the Tolls or Customs they are by the Laws now in Force, or by Usage, enabled to receive, who shall carry any Goods liable to pay any such Tolls or Customs into or through any City, Town-Corporate or Market-Town, or Fairs, or over any such Bridge in this Kingdom, upon every such Car, Cart, Dray, or Waggon, which shall not have the Wheels thereof of the Breadth or Gauge of Three Inches at the least, from Side to Side at the Bottom or Sole when worn, or in Case the Streaks or Iron, with which the Wheels thereof are bound, shall be set on with Sprigs or high headed Nails; and if it shall appear upon due Proof made by One credible Witness upon Oath, before any One Justice of the Peace for the County, City, or County of the City or Town-Corporate where such Collectors or Receivers shall be employed to collect the Tolls or Customs, (which Oath such Justice is hereby impowered and

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and required to administer) that such Collector or Receiver of the Tolls and Customs hath not obliged the Owner or Driver of any such Car, Cart, Dray, or Waggon, to pay such double Tolls or Customs for such Goods, such Collector or Receiver knowingly so offending against this Act, shall forfeit the Sum of Five Pounds for every such Offence; to be levied by Distress and Sale of his Goods and Chattles, by the Warrant of such Justice of the Peace under his Hand and Seal; One Moiety whereof to be for the Use of the Informer, and the other for the Poor of the Parish; and that the Collectors of the Tolls of the several Turnpike Gates in this Kingdom, are hereby impowered and required to oblige the Owner or Driver of every such Car, Cart, Dray, or Waggon, to pay Thirteen Pence Tolls at each and every Turnpike Gate, which if such Gate-Keeper shall neglect to do, it shall be lawful for any Justice of the Peace of the County, in which such Turnpike Gate is, by Warrant under his Hand and Seal, to order any Sum, not exceeding Twenty Shillings, to be levied off the Goods and Chattles of such Gate-Keeper, for every such Offence, on due Proof being made thereof by One credible Witness upon Oath before such Justice, (which

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Oath such Justice is hereby impowered to administer.)

And be it further Enacted by the Authority aforesaid, That the Owner or Driver of any Waggon, Wain, Cart, or Carriage, with Wheels the Breadth thereof being nine Inches at the Sole or Bottom thereof, and the Streaks thereof being set on with flat-headed Nails, and placed at such a Distance from each other, that the Space between the Middle of the one Track made by such Wheels on the Road, and the Middle of the other Track shall be Four Feet Ten Inches, shall not be obliged to pay more than Six Pence Toll for any such Waggon, Wain, Cart, or Carriage with four Wheels, or more than Three Pence for any such Waggon, Wain, Cart, or Carriage with two Wheels, on any Turnpike Road in this Kingdom.

And be it further Enacted by the Authority aforesaid, That if any Parish or Parishes shall be so large, that one Constable shall not be sufficient to do the whole Office of a Constable within the said Parish or Parishes, it shall be lawful to make and appoint two or more Constables for such Parish or Parishes, in such Manner as such one Constable was formerly appointed

pointed for the same, which said new Constable or Constables shall have such and the same Power and Authority as any other Constable hath, or by the Laws of this Realm ought to have. CHAP. XIV.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of His Majesty's Court of King's Bench in Term Time, and to and for the Judges of Assize in their several and respective Circuits, from Time to Time, to order one or more Warrants, in nature of an Execution, to issue, directed to the High Sheriff, or other Officer lawfully authorized, within the several and respective Counties, and Counties of Cities and Towns within the Province where any Person was made Treasurer, Overseer, Constable, Collector, or Receiver, impowering such High Sheriff, or his Under Sheriff, or lawful Deputy, or other Officer, lawfully authorized, by Sale of the Goods and Chattles, or sufficient Part thereof, or by or out of the Rents, Issues, and Profits of the Lands and Tenements of any Treasurer or Treasurers, Overseer or Overseers of Roads, and other Publick Works, High and Petty Constables, and other Collectors and Re-

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ceivers of the publick Money, who ſhall not have accounted for and paid ſuch Publick Money, and who ſhall be found to be in Arrear for the ſame, or any part thereof, to raiſe, levy, and collect ſuch Sum or Sums of Money for which they ſhall be ſo in Arrear; for the collecting of which, ſuch High Sheriff, or his Under Sheriff, or lawful Deputy, or other Officer lawfully authorized, ſhall be intitled to receive One Shilling for every Pound he ſhall ſo collect, to be levied in Manner aforeſaid, from ſuch Perſon and Perſons aforeſaid, againſt whom ſuch Warrant ſhall iſſue as aforeſaid: And that it ſhall and may be lawful for every Juſtice of Aſſize, and Juſtices of Oyer and Terminer, to enquire of, and hear and determine, all and every Offence, Matter, and Cauſe that ſhall grow, come, or ariſe, by reaſon of this Statute, and to aſſeſs ſuch reaſonable Fines and Amerciaments for the ſame, as by them ſhall be thought meet. And that it ſhall and may be lawful for the ſeveral Grand Juries in this Kingdom to make Preſentments, and for the Judges to confirm the ſame, for the raiſing of ſuch Sums of Money on the County at large, as ſhall be neceſſary for the building or repairing of Seſſions Houſes, or Houſes of Correction,

tion, and for the building, repairing, or strengthening of Gaols, and for Bolts or Shackles, Stocks, Whipping-Posts, Ducking-Stools, and Pillories, as shall be necessary for the said several Uses and Purposes; as also for conveying of any Person or Persons accused of Treason or Felony, to the County Goal, so as the same do not exceed Six Pence per Mile; and also for the recovering of Publick Money in the Hands of Collectors and Receivers thereof, their Executors, Administrators and Sureties.

And be it Enacted by the Authority aforesaid, That it shall be lawful for all High and Petty Constables, or other Persons impowered by this Act, to levy Money by the Distress and Sale of any Person's Goods, to deduct One Shilling in the Pound, out of the Money so levied by such Distress and Sale of such Goods, for his Trouble in distraining and selling the same.

And be it further Enacted by the Authority aforesaid, That if any Person shall be sued, molested, or troubled, for putting in Execution any of the Powers contained in this Act, or for doing any Act, Matter,

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or Thing pursuant thereto, such Person shall and may plead the General Issue, and give the Special Matter in Evidence; and if the Plaintiff or Plaintiffs shall be nonsuited, and Judgment given against him, her, or them, upon Demurrer or otherwise, or a Verdict pass for the Defendant or Defendants, or a Dismis upon a Civil Bill, such Defendant or Defendants shall have his, her, or their treble Costs, to be recovered by such Method and Manner, as where by Law Costs are given to Defendants.

And be it further Enacted by the Authority aforesaid, That the solemn Affirmation or Declaration of a Quaker, shall be adjudged and taken to be of the same Force and Effect to all Intents and Purposes, in any Case where by this Act an Oath is required to be taken, as if such Quaker had taken an Oath in the Form prescribed, or in the usual Form.

And be it further Enacted by the Authority aforesaid, That the Laws for the Repair of the Highways or Roads by the Six Days Labour, shall continue in full Force until such Time, between the First Day of July One thousand seven hundred and

and ſixty ſix, and Firſt Day of September One thouſand ſeven hundred and ſixty ſix, as the Inhabitants of the ſeveral Pariſhes or Unions in this Kingdom, ſhall have perform'd the Six Days Labour, preſented to be by them perform'd at the ſeveral Veſtries held laſt Michaelmas, or at the laſt Spring Quarter-Seſſions or Aſſizes. CHAP. XIV.

And be it further Enacted by the Authority aforeſaid, That this Act ſhall extend to Counties of Cities and Counties of Towns; and that the Grand Juries thereof ſhall be, and are hereby impowered to preſent ſuch Sum or Sums of Money, as they ſhall think proper, on the County at large of ſuch City or Town, in the ſame Manner, and for the ſame Purpoſes, and ſubject to the ſame Method of Account to all Intents whatſoever, and to do every other Act that the Grand Juries of the ſeveral Counties in this Kingdom are by this Act enabled to do.

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AN

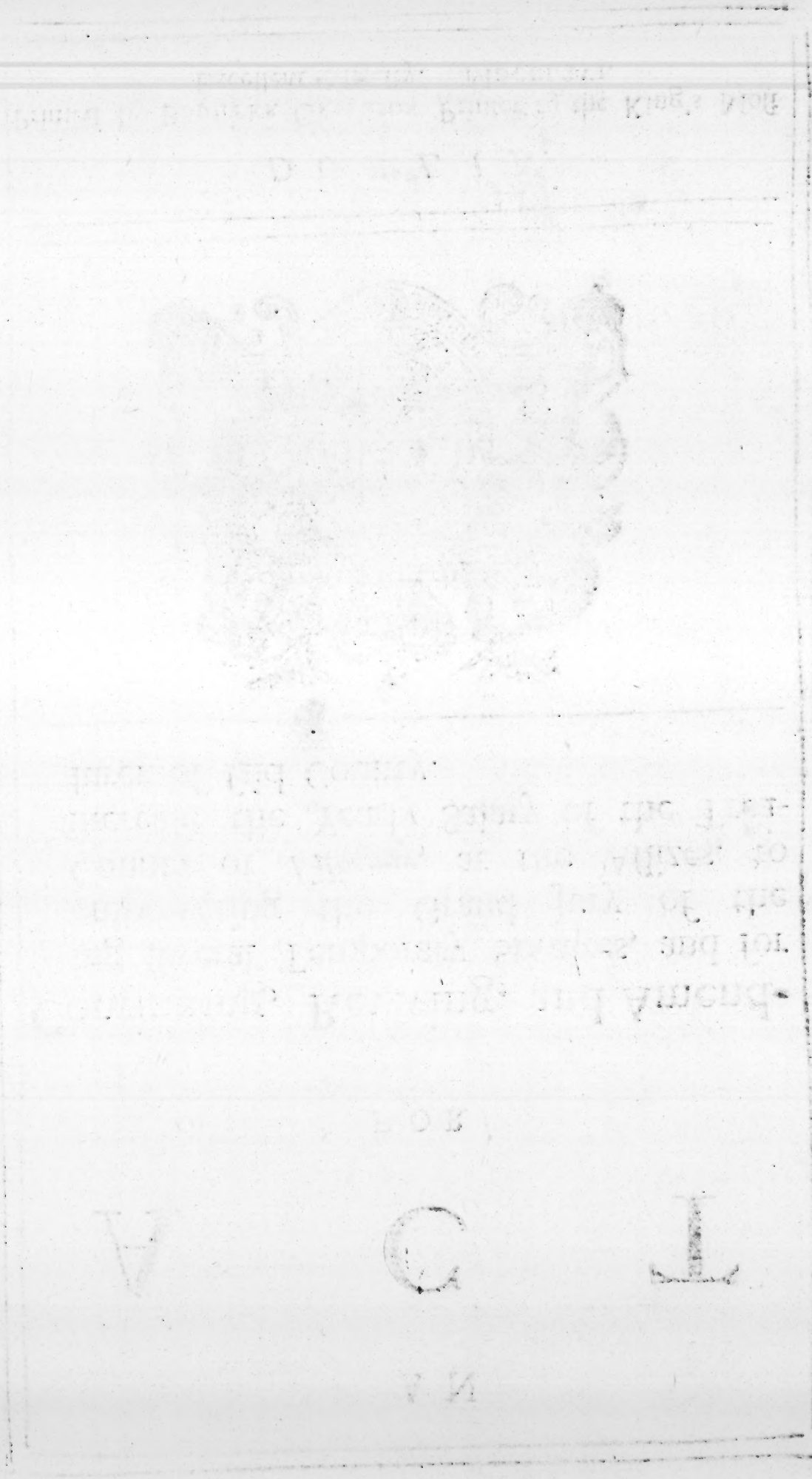
ACT

FOR

Continuing, Reviving, and Amending ſeveral Temporary Statutes, and for empowering the Grand Jury of the County of *Kilkenny*, at the Aſſizes, to increaſe the Yearly Salary of the Treaſurer of ſaid County.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.



AN

ACT

FOR

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WHEREAS the ſeveral Temporary Laws and Statutes herein after mentioned, are found to be of general Uſe, and fit to be continued, as the ſame, or many of them, are hereafter

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amended; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act paſſed in the Thirty third Year of the Reign of His late Majeſty King George the Second, intituled, An Act for Reviving and Amending an Act paſſed in the Twenty third Year of the Reign of His preſent Majeſty, intituled, *An Act for Amending, Continuing, and making more Effectual the ſeveral Acts now in Force in this Kingdom, for the more eaſy Recovery of Tythes and other Eccleſiaſtical Dues of ſmall Value, as alſo the more eaſy providing a Maintenance for Pariſh Clerks, and building of New Churches*; and which ſaid Act is near expiring, ſhall and may be continued to the Firſt Day of May, which ſhall be in the Year of our Lord One thouſand ſeven hundred and ſeventy three, and to the End of the then next Seſſions of Parliament.

And whereas an Act paſſed in the Firſt Year of the Reign of His preſent Majeſty King George the Third, intituled, An Act for Reviving, Continuing, and Amending ſeveral Temporary Statutes, and for other Purpoſes therein mentioned; which Act, as to ſuch

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part thereof as relates to Colliers and Miners, who absent themselves in Breach of Contract without Licence or Discharge, or for any Owner of any Colliery or Mine, or any other Person who shall employ or hire any such Miner, Master, or other Collier, under Contract as therein mentioned, was to continue and be in Force to the First of May One thousand seven hundred and sixty four, and to the End of the then next Session of Parliament, and no longer: And whereas the said Act, so far as relates thereto, is now near expiring; be it Enacted by the Authority aforesaid, That the said Act, as to such part thereof as relates to Colliers, Miners, or Owners of Mines, or others, as aforesaid (with the following Amendments thereto) shall be continued and be in Force to the First Day of May, which shall be in the Year One thousand seven hundred and seventy five, and to the End of the then next Session of Parliament: And whereas it has been sometimes the Custom for Owners, Proprietors, or Occupiers of Collieries or Coal-Mines, to pay the several Persons respectively employed by them in working such Collieries or Coal-Mines, by certain Quantities of Coal, or other Considerations, in Lieu of

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Money, whereby such Owners, Proprietors, or Occupiers have been greatly defrauded, as well as such Persons so employed and paid, have been corrupted into the Practice of Frauds and other Crimes, by which Means the Community has been considerably injured: For Remedy whereof, be it Enacted by the Authority aforesaid, That in case any Owner, Proprietor, or Occupier of any Coal-Mines in this Kingdom, or any Person or Persons concerned in carrying on and working of the same, shall, on or after the First Day of June One thousand seven hundred and sixty six, pay any Master Collier, or other Working Collier, or Person employed in the said Coal Mines, his or their Wages, or other Price agreed on, or any Part thereof, either in large or small Coal or Culm, by way of Truck, or any other Manner than in Ready Money, and shall thereof be lawfully convicted, shall forfeit the Sum of One Hundred Pounds, to be paid to the Informer; to be recovered in any of His Majesty's Courts of Record in Ireland, upon an Action commenced for the same within three Kalendar Months from the Time of such Offences being committed.

And

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And be it Enacted by the Authority aforesaid, That the said last recited Clause shall continue and be in Force to the First Day of May One thousand seven hundred and seventy five, and from thence to the End of the then next Session of Parliament, and no longer.

And whereas an Act passed in the Third Year of the Reign of His present Majesty King George the Third, intituled, An Act for confirming the Titles, and for quieting the Possessions of Protestants, and for giving Time to Converts from Popery to perform the Requisites of Conformity, prescribed by the Laws against Popery; which enacts that all such Person or Persons as had theretofore obtained the Bishop's Certificate of their Conformity, and from and after obtaining the same, had professed the Protestant Religion, and had continued Protestants, and had not performed all the other legal Requisites of Conformity, and should perform the same before the First Day of December, in the Year One thousand seven hundred and sixty five, should from the Time of his, her, or their Conformity from the Popish to the Protestant Religion, be deemed and taken to be Protestants of the

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Established Church to all Intents and Purposes: In the said Act there is a Proviso, that nothing therein contained should bar, defeat, or prejudice any Judgment or Decree theretofore obtained by any Person or Persons whatsoever, in any Court of Law or Equity, or any Suit now depending, grounded upon the Popery Laws, which have been duly proceeded upon: And whereas the Time for performing the said Requisites is now expired; Be it therefore Enacted by the Authority aforesaid, That all such Person and Persons as have heretofore obtained the Bishop's Certificate of their Conformity, and from and after obtaining the same have professed the Protestant Religon, and have continued Protestants, and have not performed all the other legal Requisites of Conformity, and shall perform the same before the First Day of December One thousand seven hundred and sixty seven, shall, from the Time of his, her, or their Conformity from the Popish to the Protestant Religion, be deemed and taken to be Protestants of the Established Church, to all Intents and Purposes.

Provided always, That nothing herein contained shall bar, defeat, or prejudice any

any Judgment or Decree heretofore obtained by any Perſon or Perſons whatſoever, in any Court of Law or Equity, or any Suit now depending, grounded on the Popery Laws, which have been duly proceeded upon.

And whereas an Act paſſed in the Tenth Year of the Reign of His late Majeſty King George the Firſt, intituled, An Act for continuing and amending of the Laws in Relation to Butter and Tallow, and the Caſks in which ſaid Goods are to be made up, and in Relation to the Curing of Hides, and making up Beef and Pork for Exportation, and for the preventing the Deſtruction of Salmon; which ſaid Act was explained and amended by another Act, made in the Twelfth of His late Majeſty's Reign, intituled, An Act for explaining and amending an Act, intituled, *An Act for continuing and amending of the Laws in Relation to Butter and Tallow, and the Casks in which ſuch Goods are to be made up, and in Relation to the Curing of Hides, and making up of Beef and Pork for Exportation, and for preventing the Deſtruction of Salmon*; which ſaid Acts have been amended and further continued by ſeveral Acts, to the End of the Seſſion of Parliament in the Twenty fifth Year of the Reign of His late Ma-

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jeſty King George the Second; and by an Act made in this Kingdom in the Twenty firſt Year of His ſaid late Majeſty's Reign, intituled, An Act for reviving, continuing, and amending ſeveral Temporary Statutes; the ſaid Acts have been amended and further continued to the Twenty ninth Day of September, which will be in the Year of Our Lord One thouſand ſeven hundred and ſixty nine, and from thence to the End of the then next Seſſion of Parliament, and no longer; which ſaid laſt recited Act made in the Twenty firſt Year of the Reign of His late Majeſty King George the Second, ſo far as it relates to the continuing and amending the ſaid Laws in Relation to Butter and Tallow, and the Caſks in which ſuch Goods are to be made up, and for the curing of Hides, and making up Beef and Pork for Exportation, is found by Experience to be extremely uſeful, and therefore fit to be continued with ſuch Alterations and Amendments, as by this Act are made therein; Be it therefore Enacted by the Authority aforeſaid, That the ſaid laſt recited Act, ſo far as it relates to the continuing and amending the ſaid Laws in Relation to Butter and Tallow, and the Caſks in which ſuch Goods are to be made up;

and

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and for the curing of Hides, and making up Beef and Pork for Exportation, with the ſeveral Alterations and Amendments herein after contained, ſhall be, and the ſame is hereby further continued until the Twenty ninth Day of September, which will be in the Year of Our Lord One thouſand ſeven hundred and ninety one, and from thence to the End of the then next Seſſion of Parliament, and no longer.

And to the End, that the ſeveral Rules, Regulations, Orders, and Directions in this and the ſaid laſt recited Acts mentioned and contained, may be ſtrictly obſerved, and faithfully and truly executed in the City of Cork, which is a Place of great Export; Be it Enacted by the Authority aforeſaid, That from and after the End of the next Seſſion of Parliament, after the Twenty ninth Day of September One thouſand ſeven hundred and ſixty nine, Joſeph Hoare Eſquire, Henry Sheares Eſquire, and Edward Hoare the younger, Eſquire, and the Survivors and Survivor of them, may be appointed Weigh-Maſter and Weigh-Maſters of the ſaid City of Cork, in the Place and Stead of the preſent Weigh-Maſters thereof, with the ſame and the like Fees payable, and

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in the ſame Manner recoverable for the Trouble, Charges, and Expences which they ſhall be at in the Execution of the ſaid Offices, and ſubject to the like Removal for Misbehaviour, with Liberty of Appeal, and to the ſame Conditions, Rules, Regulations, Orders, Directions, and under the ſame Penalties as the preſent Weigh-Maſters of the ſaid City of Cork were and are now liable to by the ſaid laſt mentioned Acts; which ſaid Offices ſhall, from and after the End of the next Seſſions of Parliament after the Twenty ninth Day of September One thouſand ſeven hundred and ſixty nine, be executed by the ſaid Joſeph Hoare, Henry Sheares, and Edward Hoare, or by the Survivors or Survivor of them, his or their Deputy or Deputies, to be by him or them nominated or appointed, during the good Behaviour of the ſaid Joſeph Hoare, Henry Sheares, and Edward Hoare.

Be it Enacted by the Authority aforeſaid, That the Mayor, Sheriffs, and Common Council of the City of Cork, in the Abſence of the Weigh-Maſter or Weigh-Maſters for the Time being, from the ſaid City, ſhall and may, upon full Proof of the Misbehaviour of any Deputy or Deputies

Deputies noth appointed, or that shall hereafter be appointed by such Weigh-Master or Weigh-Masters, either upon full hearing of him or them, or upon his or their being duly summoned, and neglecting to appear, by Writing under their respective Hands and Seals remove such Deputy or Deputies from his or their Office or Offices, and nominate and appoint another, or others to act in his or their Stead during the Absence of such Weigh-Master or Weigh-Masters from the said City.

And be it Enacted by the Authority aforesaid, That the Deputy Weigh-Masters of the City of Cork, shall be hereby directed and required to receive all such Penalties and Forfeitures as by the said last recited Acts, or any of them, are to go to the Governors of the Workhouse of the said City, and to account quarterly, on Oath, with the Court of Assistants of the said Workhouse, for the said Penalties and Forfeitures received by them respectively, deducting Five Pounds out of every hundred Pounds so received, as a Recompence for their Trouble.

And whereas by an Act made in the first Year of His present Majesty's Reign,

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intituled, An Act for reviving, continuing, and amending ſeveral Temporary Statutes, and for other Purpoſes therein mentioned; the ſeveral Proviſions made by an Act paſſed the preceding Seſſion, intituled, An Act for the more effectual enlightening the City of *Dublin*, and the Liberties thereof; and for the erecting of Publick Lights in other Cities, Towns-Corporate, and Market Towns in this Kingdom, were extended to ſeveral Cities and Towns-Corporate, to which there was ſome Doubt whether the ſaid laſt recited Act extended: And whereas it has been found that the ſaid Proviſions have not fully anſwered the good Purpoſes thereby intended; Be it Enacted by the Authority aforeſaid, That in every City, for the Lighting of which no particular Proviſion is made by any Act of Parliament now in Force, the ſeveral and reſpective Pariſhes in ſuch Cities, ſhall, at their reſpective Veſtries, which the Miniſters of the reſpective Pariſhes, or their Curates, are hereby required to call on the Firſt Day of June One thouſand ſeven hundred and ſixty ſix, and afterwards on the Monday next enſuing the Twenty fifth Day of March in every Year, determine the Size, Sort, Form, and Number of Lamps to be erected, and in what Streets or Places, and

and in what Manner, and at what Distances the same shall be set up, and in what Nights, and for what Hours the same shall be lighted and kept burning, and shall make an Estimate of the Expences thereof, and shall make such Contracts for the erecting, lighting, and repairing such Lamps as they shall judge most expedient for the publick Service, and every Inhabitant in such City being the Head of a Family, and paying Five Pounds yearly Rent, or upwards, or being the Occupier of a House within such City, of such yearly Value as aforesaid, shall be intitled to vote in the Vestry of that Parish within which he resides, and that such Vestries the better to enable them to carry this Act into Execution, shall have Power to adjourn from Time to Time for the Space of Ten Days, and no more, from the first Day of their said respective Meetings inclusive.

And to the End that the Expences of Erecting, Lighting, and Maintaining such Lamps, may be equally born by the Inhabitants of such Cities, be it Enacted by the Authority aforesaid, That the Occupiers of all such Houses as are already rated for Ministers Money, shall be rate-

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ably charged, in Proportion to the Ministers Money payable for their said Houses, and that the said several and respective Parishes shall, at their said respective Vestries, appoint Four Persons, who shall, upon Oath to be administred to them by the respective Ministers or Curates, value and estimate, the Yearly Value of all such Houses as are not rated for Ministers Money in the said respective Parishes, and who shall return the same to the said respective Vestries, who shall confirm or alter the same, in such Manner as shall be agreeable to Justice; be it Enacted by the Authority aforesaid, That all and every the Occupiers of all such Houses shall be rateably charged in Proportion to the Ministers Money, and such Valuation, with the yearly Sum to be paid by him, her, or them, towards the Expence of Erecting, Lighting, and Maintaining such Lamps, and shall pay the same yearly to the Persons appointed to collect the same, as herein after is mentioned, and after Refusal or Neglect to pay the same, after reasonable Demand thereof, such Collector or Collectors is and are hereby impowered to levy the same by Distress and Sale of the Goods of such Occupier so refusing, and also One

One Shilling for the Expence of such Distress. CHAP. XV.

And be it Enacted by the Authority aforesaid, That the said several and respective Parishes, shall, at their respective Vestries so held as aforesaid, yearly chuse two substantial honest and discreet Inhabitants of their said respective Parishes, to collect the Money so assessed upon the Inhabitants of the said respective Parishes, and to oversee and direct the Erecting, Lighting, and Maintaining the said Lamps in the said respective Parishes, and to allow such Persons, as a Reward for their Trouble and Expence about the same, such Sum as such Vestries shall think reasonable; provided that such Sums do not exceed in the Whole the Sum of Sixpence in the Pound, of such Sums as they shall so collect.

Provided allways, That the Persons so chosen, shall, before they shall enter upon their said respective Offices, give sufficient Security to the respective Ministers of such Parishes, for the due Execution of their said respective Offices, and to account duly for such Sums as they shall so collect.

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Provided always, That if the Minister or Curate of any of the said Parishes shall refuse or neglect to call and hold Vestries for the Purposes herein before mentioned, at the respective Times herein before mentioned, such Minister or his Curate shall, upon Complaint made thereof to any One of the next going Judges of Assizes, and Proof upon Oath of such Refusal or Neglect, such Minister or Curate shall be fined for every such Refusal or Neglect, in any Sum such Judge shall think proper, not exceeding the Sum of One Hundred Pounds.

And for preventing the laying of Dung, Dirt, or other Filth in the Publick Streets and Lanes of Cities or County Towns, and for the more effectual cleansing and keeping the same clean, be it Enacted by the Authority aforesaid, That no Person or Persons whatsoever shall lay down, and suffer to remain above Twenty four Hours, any Dung, Dirt, or other Filth, in any Street or Lane in any City or County-Town, before his, her, or their Dwelling-House or Houses, Stables, Buildings, or Walls, or before the Dwelling-House, Stables, Buildings, or Walls of any other Person, or before the Walls of Churches,

Churches, Church-yards, or other publick Buildings; and if any Perſon ſhall be convicted of any of the ſaid Offences, before the Mayor, or other Magiſtrate of ſuch City or County-Town where ſuch Offence is committed, by the Oath of One or more credible Witneſs or Witneſſes, every ſuch Offender ſhall for every ſuch Offence forfeit the Sum of Five Shillings, to be levied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal of the Mayor, or other Magiſtrate of ſuch City or County-Town, before whom ſuch Offender ſhall be ſo convicted.

Be it Enacted by the Authority aforeſaid, That every Inhabitant in every City or County-Town, ſhall before Nine of the Clock in the Morning of every Day (except Sunday) ſweep and cleanſe, or cauſe to be ſwept and cleanſed, before their reſpective Houſes, Buildings, and Walls, in the Streets of the ſaid Cities or County-Towns, and in ſuch Lanes as Carriages can paſs through, to the End that the Dirt may be ready to be carried away by the reſpective Scavengers, upon Pain to forfeit for every ſuch Offence the Sum of One Shilling; the ſaid Offence to be heard and

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determined, and the said Penalty to be levied in the Manner herein before mentioned; and the Scavengers in the said Cities and County-Towns, shall, three Days in every Week to be appointed by the respective Mayors in the said Cities, and Magistrates of County-Towns, carry away all the Dirt and Filth out of all and every the Streets and Lanes through which Carriages can pass in the said Cities and County-Towns, upon Pain of forfeiting the Sum of Ten Shillings for every Neglect; the said Forfeiture to be heard and determined, and the Penalty levied in the Manner herein before mentioned.

And be it Enacted by the Authority aforesaid, That the said several Penalties, after deducting the Expences of levying the same, shall be applied by the respective Magistrates before whom the same shall be recovered, for the Use of the Prisoners for Debt in the respective Goals of the said Cities and County-Towns.

And be it Enacted by the Authority aforesaid, That it shall be lawful for any Person or Persons to carry away, and to apply to his and their own Use, any Dung or Dirt which shall lie in any Street

Street or Lane in any City or Market-Town; and in case any Suit or Action shall be commenced against any Person or Persons, for what he or they shall do in pursuance of this Act, the Defendant or Defendants in such Action, shall plead the General Issue, and give the Special Matter in Evidence, and if a Verdict shall be given for the Defendant or Defendants, or if the Plaintiff shall be nonsuit, the Defendant or Defendants shall have and recover his or their Treble Costs.

Provided allways, That nothing herein contained shall extend to the City of Dublin.

And be it Enacted by the Authority aforesaid, That the said several Provisions for lighting and cleansing such Cities, shall be and continue in Force for the Space of Seven Years, from the First Day of May One thousand seven hundred and sixty six, and from thence to the End of the then next Session of Parliament.

And whereas an Act passed in the First Year of His Majesty's Reign, intituled, An Act to prevent the excessive Price of Coals in the City of *Dublin*; as also an Act passed in

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the Third Year of His Majeſty's Reign, intituled, An Act to amend and continue the ſaid Act; have been found to be of Uſe: And whereas the City of Cork is very populous, and contains a great Number of Manufacturers, who are often greatly diſtreſſed by the exceſſive Price of Coals in the ſaid City; Be it Enacted by the Authority aforeſaid, That the ſaid recited Acts, and all and every Clauſe and Clauſes therein contained ſhall extend to the City of Cork, as fully to all Intents and Purpoſes as if the ſaid City was expreſsly mentioned in the ſaid Act, ſave only that all Acts directed to be done, and all Powers given by the ſaid Acts, or either of them, to the Lord Mayor or Recorder of the City of Dublin, ſhall be exerciſed by the Mayor or Recorder of the ſaid City of Cork for the Time being, and all Powers given by the ſaid Acts, or either of them, to the Lord Mayor, Sheriffs, and Recorder of the City of Dublin, ſhall be exerciſed in the City of Cork, by the Mayor, Sheriffs, and Recorder of the ſaid City, and that all Acts directed to be done, and all Powers given by the ſaid Acts, or either of them, to the Lord Mayor and Board of Aldermen, ſhall in the City of Cork be exerciſed by the Mayor and Common Council of the City

City of Cork; and that the Power of making Bye-Laws given by the said Act to the Lord Mayor, Recorder, and Board of Aldermen, shall, in the City of Cork, be vested in the Mayor, Recorder, and Common Council of the said City, and save also that the Civil Bills directed by the said Acts, or either of them, to be brought before the Recorder of the City of Dublin, shall in the City of Cork be brought before the going Judges of Assize for the County of the said City.

Provided allways, that the Sum to be advanced by the Deputy Vice-Treasurer, over and above the Sum that shall be paid into him by the Director of the Publick Coal Yard for the City of Cork, shall not at any Time exceed Three Thousand Pounds, and that the Security to be given by the said Director, shall be in the Penalty of Three Thousand Pounds, and no more.

Provided allways, and be it Enacted by the Authority aforesaid, That the Office of Comptroller shall be exercised by the Mayor of the City of Cork, for the Time being, without any Expence to the Publick.

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And be it Enacted by the Authority aforeſaid, That if any Perſon ſhall buy or ſell any of the Offices in the ſaid Act mentioned, or any Part of them, or ſhall bargain or agree to have any Money or Profit for any of the ſaid Offices, or any Part of the ſame, or to the Intent that any Perſon ſhall have any of the ſaid Offices, or any Part of the ſame, any Perſon who ſhall ſo buy or ſell, bargain or agree as aforeſaid, or who ſhall give any Promiſe or Aſſurance of Money, or of any other Conſideration for any of the ſaid Offices, and ſhall be convicted upon an Action, Indictment, or Information for ſuch Offence, ſhall, from the Time of ſuch Conviction, be adjudged a diſabled Perſon to hold ſuch Office, and ſhall forfeit the Sum of One Hundred Pounds, to ſuch Perſon who ſhall firſt ſue or proſecute for the ſame with Effect, and all ſuch Bargains, Agreements, and Aſſurances ſhall be null and void to all Intents and Purpoſes whatſoever.

And whereas an Act paſſed in the Third Year of the Reign of His late Majeſty, intituled, An Act for the better Diſcovery of Judgments in the Courts of King's Bench, Common

Common Pleas, and Exchequer at *Dublin*, and for the greater Security of Purchasers; **which said Act has been continued by several Acts of Parliament, but is near expiring, and is thought fit to be continued, be it therefore Enacted by the Authority aforesaid, That the said Act, and all and every Clause therein contained, shall be continued and be in Force for the Term of Eleven Years, to be computed from the Twenty fifth Day of** March **One thousand seven hundred and sixty six, and from thence to the End of the then next Session of Parliament, and no longer.**

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And whereas an Act passed in this Kingdom in the Third Year of his present Majesty, intituled, An Act for the better Preservation of the Game, so far as it relates to the killing of Game, and exposing the same to Sale at improper Seasons of the Year, **is found to be useful, and fit to be continued; be it Enacted by the Authority aforesaid, That all and every of the Clauses in the said Act contained, which prohibit the taking and killing of Game at certain Seasons of the Year, and exposing the same to Sale, and all the penalties and provisions relative thereunto, which by the said Act are made and pro-**

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vided, may and shall be continued in Force until the First Day of May One thousand seven hundred and sixty eight, and to the End of the then next Session of Parliament, and no longer.

And whereas it is expedient that the Grand Jury of the County of Kilkenny shall have Power to present a greater Yearly Sum for the Treasurer of the said County, than they by the Laws now in Force are impowered to do, the said County requiring, from its Situation and Circumstances, large Sums to be raised for the Repair of Roads and other publick Purposes, and requiring a Treasurer very conversant in Accounts, and who can give Security for such large Sums as are necessary to be raised in that County; be it Enacted by the Authority aforesaid, That from and after the First Day of May One thousand seven hundred and sixty six, the Grand Jury, at the Assizes to be held for the said County, from Time to Time, shall have Power, if they think fit, to make Presentments in the usual Manner, for the raising any Sum not exceeding Forty Pounds a Year, for the Treasurer of the said County for the Time being, over and above the Sum which

which the Grand Jury of the said County is impowered, by the Laws now in Force, to present for such Treasurer; and the Judges at such Assizes shall and may confirm the said Presentment.

And be it Enacted by the Authority aforesaid, That an Act passed in the Second Year of His Majesty King George the First's Reign, intituled, An Act to make the Militia of this Kingdom more useful; and which said Act has been continued by several Acts of Parliament, but is now near expiring, shall and may be further continued for Ten Years, from the Twenty fifth of March One thousand seven hundred and sixty six, and from thence to the End of the then next Session of Parliament, and no longer.

And be it Enacted by the Authority aforesaid, That an Act, passed in the fifth Year of His late Majesty King George the Second's Reign, intituled, An Act for the better Regulation and Government of Seamen in Merchant's Service; which Act has been revived and continued by an Act made in the First Year of His present Majesty's Reign, but is now near expiring, shall and may be further continued for Ten

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from the Twenty fifth of March One thouſand ſeven hundred and ſixty ſix, and from thence to the End of the then next Seſſion of Parliament, and no longer.

And be it further Enacted by the Authority aforeſaid, That an Act paſſed in the Twenty fifth Year of his late Majeſty King George the Second's Reign, for the better adjuſting and more eaſy Recovery of the Wages of certain Servants, and certain Apprentices, and for the Puniſhment of ſuch Owners of Coals and their Agents, as ſhall knowingly employ and ſet at Work Perſons retained in the Service of other Owners; and alſo that mutual Debts between Party and Party be ſet one againſt the other, which ſaid Act has been continued with ſeveral Amendments, by ſeveral Acts of Parliament, ſhall be and is hereby made perpetual.

AN

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AN

ACT

FOR

Continuing and Amending ſeveral Laws relating to His Majeſty's Revenue, and for the more effectual preventing of Frauds therein, and for other Purpoſes therein mentioned.

DUBLIN:

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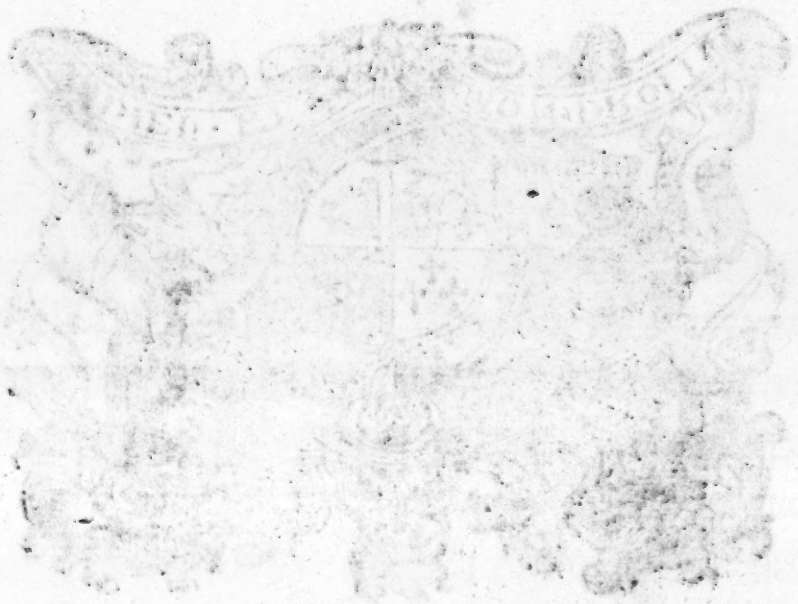

AN

ACT

FOR

Continuing and Amending ſeveral Laws relating to His Majeſty's Revenue, and for the more effectual preventing of Frauds therein, and for other Purpoſes therein mentioned.

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WHEREAS the ſeveral Laws heretofore made, to prevent Frauds in His Majeſty's Revenue of Cuſtoms and Exciſe, have proved ineffectual to anſwer the Purpoſes thereby intended,

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by Reaſon of many ſecret and clandeſtine Practices made uſe of to evade or elude the ſame: And whereas ſome Doubts have been made concerning Perſons who are, or ſhould be deemed Retailers of ſpirituous Liquors, Malt Liquors, Tobacco, and Tea; Be it therefore Declared and Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Twenty fourth Day of June One thouſand ſeven hundred and ſixty ſix, all and every Perſon and Perſons, who ſhall ſell any ſpirituous Liquors in any Quantity under One Gallon, any Malt Liquors under the Quantity of Ten Gallons, any Tobacco under the Quantity of Twenty Pounds Weight, or any Tea under the Quantity of two Pounds Weight, ſhall to all Intents and Purpoſes be deemed and taken to be a Retailer or Retailers of the ſaid Commodities reſpectively, and be ſubject to all and every of the Laws and Rules now in Force with Reſpect to Retailers of ſuch Commodities.

And

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And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June One thousand seven hundred and sixty six, no Person or Persons shall harbour, keep, or conceal, nor shall knowingly permit or suffer to be harboured, kept, or concealed; nor shall give any Aid, Assistance, or Reward to any Person or Persons to harbour, keep, or conceal, in any House, Out-House, Turf-Stack, Hay-Rick, or other Place or Places whatsoever, any Beer, Ale, Spirits, or Strong Waters, Low Wines, Singlings, Wash, or Pot-Ale, which shall have been unlawfully brewed, made, or distilled, and whereof the Duties due and payable thereupon, shall not have been paid or secured according to Law: And if any Person or Persons shall offend in the Premisses, then and in the several and respective Cases aforesaid, the Person or Persons who shall harbour, keep, or conceal, in any Place or Places whatsoever, any such Beer, Ale, Strong Waters, Low Wines, Singlings, Wash, or Pot-Ale as aforesaid, from the Sight or View of the Officer or Officers appointed to vieh, gauge, or take an Account of the same, shall, over and above the Forfeiture of all such Beer,

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by Reaſon of many ſecret and clandeſtine Practices made uſe of to evade or elude the ſame: And whereas ſome Doubts have been made concerning Perſons who are, or ſhould be deemed Retailers of ſpirituous Liquors, Malt Liquors, Tobacco, and Tea; Be it therefore Declared and Enacted by the King's Moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Twenty fourth Day of June One thouſand ſeven hundred and ſixty ſix, all and every Perſon and Perſons, who ſhall ſell any ſpirituous Liquors in any Quantity under One Gallon, any Malt Liquors under the Quantity of Ten Gallons, any Tobacco under the Quantity of Twenty Pounds Weight, or any Tea under the Quantity of two Pounds Weight, ſhall to all Intents and Purpoſes be deemed and taken to be a Retailer or Retailers of the ſaid Commodities reſpectively, and be ſubject to all and every of the Laws and Rules now in Force with reſpect to Retailers of ſuch Commodities.

And

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And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June One thousand seven hundred and sixty six, no Person or Persons shall harbour, keep, or conceal, nor shall knowingly permit or suffer to be harboured, kept, or concealed; nor shall give any Aid, Assistance, or Reward to any Person or Persons to harbour, keep, or conceal, in any House, Out-House, Turf-Stack, Hay-Rick, or other Place or Places whatsoever, any Beer, Ale, Spirits, or Strong Waters, Low Wines, Singlings, Wash, or Pot-Ale, which shall have been unlawfully brewed, made, or distilled, and whereof the Duties due and payable thereupon, shall not have been paid or secured according to Law: And if any Person or Persons shall offend in the Premisses, then and in the several and respective Cases aforesaid, the Person or Persons who shall harbour, keep, or conceal, in any Place or Places whatsoever, any such Beer, Ale, Strong Waters, Low Wines, Singlings, Wash, or Pot-Ale as aforesaid, from the Sight or View of the Officer or Officers appointed to view, gauge, or take an Account of the same, shall, over and above the Forfeiture of all such Beer,

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Ale, Strong Waters, Low Wines, Singlings, Wash, or Pot-Ale, and all other penalties, likewise forfeit the Sum of Five pounds; and the person and persons who shall knowingly permit or suffer the Goods or Commodities aforesaid, or any of them, to be harboured, kept, or concealed in any place whatsoever, in his, her, or their possession or Occupation, and the person or persons likewise who shall give any Aid, Assistance, or Reward, in or for the harbouring, keeping, or concealing, from the View or Sight of the Officer or Officers appointed to gauge and take an Account of the same, any of the Goods and Commodities aforesaid, shall in each and every the Cases aforesaid respectively, forfeit the Sum of Three Pounds.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June One thousand seven hundred and sixty six, no Person or Persons whatsoever, shall brew, make, or distil any Malt or Spirituous Liquors for Sale, in any Part or Place in this Kingdom, until he, she, or they, give Notice in Writing under his, her, or their Hand or Hands, to the Collector of Excise for the District in which such Brewer or Distiller

Diſtiller intends to carry on the Trade of brewing or diſtilling, containing the real Chriſtian and Sir-Name of ſuch Brewer or Diſtiller, and the Place where ſuch Brewer or Diſtiller does intend to carry on the brewing or diſtilling Trade; and if any Perſon or Perſons ſhall, after the ſaid Twenty fourth Day of June One thouſand ſeven hundred and ſixty ſix, brew or make, or diſtil any Malt or Spirituous Liquors for Sale, without giving ſuch Notice as aforeſaid, or ſhall carry on the ſaid brewing or diſtilling Trade, in any other than his, her, or their own Name or Names, or in the Name of any Perſon or Perſons, ſave the Perſon or Perſons who is or are really intereſted in ſuch Brewery, or Diſtilling, and for whoſe Benefit and Advantage the ſame is carried on, then, and in every ſuch Caſe, the Perſon or Perſons ſo offending, ſhall forfeit the Sum of Fifty Pounds.

And be it further Enacted by the Authority aforeſaid, That every common Brewer of Beer and Ale, who ſhall have, or keep, or permit, or ſuffer to be kept, any Fire under his, her, or their Copper or Coppers, Pan or Pans, or other brewing Veſſels or Utenſils, between the Hour of

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Six of the Clock in the Afternoon on any Saturday, and the Hour of Six of the Clock in the Afternoon on any Sunday; and every Diſtiller or Maker of Low Wines, Spirits, Aqua Vitæ, or Strong Waters, for Sale; who ſhall have or keep, or permit or ſuffer to be kept, any Fire for ſetting his, her, or their Still or Stills at Work, for the diſtilling or making any of the Liquors aforeſaid, between the Hour of Six of the Clock in the Afternoon on any Saturday, and the Hour of Four of the Clock in the Morning on any Monday; every ſuch Brewer and Diſtiller ſhall reſpectively forfeit, in Lieu of all former Penalties, the Sum of Fifty Pounds for every Time, he, ſhe, or they ſhall have, or permit any Fire to be kept in his, her, or their Brewing-Houſe or Diſtilling-Houſe reſpectively, within the reſpective Times herein before mentioned.

And be it further Enacted by the Authority aforeſaid, That every common Brewer of Beer and Ale, and every common Diſtiller, or Maker of Low Wines, Spirits, Aqua Vitæ, or Strong Waters, for Sale within this Kingdom, ſhall, on every Viſit made by any Officer or Officers of Excile, after Sun-ſet in the Evening, and before Sun-riſe in the Morning, at

at the reſpective Brew-Houſes and Still-Houſes of ſuch Brewer or Diſtiller, furniſh and ſupply ſuch Officer and Officers, on Demand made by him or them, with Lights ſufficient to enable ſuch Officer or Officers to ſearch, ſurvey, and examine the Stock of Beer, Ale, Spirits, Aqua Vitæ, and Strong Waters, then on Hand, belonging to ſuch Brewers and Diſtillers reſpectively, under the Penalty of forfeiting the Sum of Five Pounds, for every Time ſuch Brewer or Diſtiller ſhall neglect, or refuſe, on Demand made as aforeſaid, to ſupply ſuch Lights as herein before is directed.

And whereas it has frequently happened, that Permits or Let-paſſes have been taken out of the proper Office for granting Permits or Let-paſſes, for Goods and Commodities that have been fairly and regularly entered, and the Duties for the ſame duly paid; nevertheleſs, the ſeveral Goods and Commodities mentioned and contained in ſuch Permit or Let-paſs, or any Part thereof, have not been ſent or conveyed from the Port or Place where the ſame have been entered, to any other Port or Place within this Kingdom, under the Cover and Authority of ſuch Permit; but

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the ſaid Permit or Let-paſs, ſo taken out as aforeſaid, has been ſent to ſome diſtant part in this Kingdom, without any of the Goods and Commodities mentioned or contained in ſuch Permit or Let-paſs; and afterward, with a fraudulent Intent to cover other Goods of the ſame Denomination and Kind, which have been clandeſtinely and illegally landed in this Kingdom, Application has been made to the Collector, or other Officer of Excile, within the Diſtrict wherein ſuch Goods and Commodities were pretended to have been ſent, for a new Permit or Let-paſs, upon an Allegation that the Goods and Commodities, ſuppoſed to have been ſent with the ſaid former Permit, were ordered to be returned for want of Buyers, or for ſome other Reaſon, and a new Permit having been taken out, grounded on the ſaid former Permit, ſeveral Goods and Commodities of the ſame Denomination and Kind, that have been illegally landed in this Kingdom, have, under colour of ſuch ſecond Permit, been ſent from one Place to another without Diſcovery of the Fraud, to the great Detriment of His Majeſty's Revenue, and the Fair Trader: For Remedy whereof, be it further Enacted by the Authority aforeſaid, That from and after the ſaid

Twenty

Twenty fourth Day of June One thousand seven hundred and sixty six, in all Cases, where, by Law, Permits or Let-passes for carrying exciseable Goods from one Part of this Kingdom to another, are required, and such Permits or Let-passes shall be issued or taken out, the Owner, or other Person or Persons to whom such exciseable Goods or Commodities shall be sold, consigned to, or sent, shall immediately after the Arrival of such Goods and Commodities in the Port or Place to which they shall have been sent or directed, give Notice in Writing to the Surveyor of Excise, or in his Absence to the Gauger or Gangers of such Port or Place, of the Arrival of such Goods and Commodities, who are hereby respectively required and directed, without Delay, to repair to the Place where such Goods and Commodities shall then be, and shall then and there carefully examine the said Goods and Commodities, with the Contents of the said Permit, and shall take the said Permit, sent with the said Goods from the Owner, or other Person having Charge of the same, and shall, upon Affidavit made by the Person or Persons to whom such Goods or Commodities shall be so sent (which Affidavit such Surveyor, Gauger or Gaugers, are hereby

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respectively authorized to take) that the several Goods and Commodities, mentioned and contained in such Permit, were really and truly brought from the Port or Place mentioned in such Permit, by Virtue and in Pursuance thereof, thereupon, without Fee or Reward, give to the said Owner, or Person having Charge of the said Goods, a Certificate in Writing under his Hand, containing a true and particular Account of all the Goods and Commodities that he shall have so viewed and examined; which Certificate, so made and signed as aforesaid, shall be deemed, taken, and allowed to be, of equal Authenticity with the Original Permit for the Purpose of proving the Duties paid, and for all other Purposes whatsoever (except only for the Purpose of carrying or conveying the said Goods and Commodities from the Place where they shall have been first sent, to any other Port or Place; and that the Merchant, Owner, or other Person having Charge of the said Goods and Commodities, shall, upon every subsequent Removal, or Conveyance of the same Goods and Commodities from one Place to another, take out a new Permit or Permits from some one of the Officers of Excise, within the District where they shall then be, grounded

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on such Certificate as aforesaid, for such parts, or so much of the said Goods and Commodities as such Merchant, Owner, or other Person demanding such new Permit, shall have Occasion to send, or shall require to be sent, to any other Part or Place.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June One thousand seven hundred and sixty six, all Permits or Let-passes whatsoever that shall be issued and granted by any Officer of the Revenue, having Power or Authority to grant the same, or who has usually granted the same, shall be wrote, stamped, or printed, in plain and legible Characters, and shall contain the several following Particulars (that is to say) the Date, the Number, and the District from whence issued, and the Place to which the same is intended to be carried, and shall particularly express the Marks, Weight, Package, and Quantity of Goods contained, or to be contained in such Permit, as exactly as the Case will admit of, or shall give such other particular Descriptions of the Goods and Commodities to be mentioned and contained in such Permit, as shall effectually com-

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prize the same, and prevent other Goods from being fraudulently conveyed or carried from one Place to another, under colour thereof; and shall likewise contain the real Christian and Sir-names of the Person or Persons sending the said Goods and Commodities, and of the Person or Persons to whom intended to be sent: And in case any fictitious Name or Names shall be inserted in any such Permit or Permits, the Goods mentioned therein shall be forfeited; and at the Foot of the said Permit shall likewise be mentioned some reasonable limited Time for such Permit to be in Force, and no longer, for the Conveyance of such Goods from one Place to another; and after the Expiration of such limited Time, the said Permit or Let-pass shall not be of any Force for protecting or conveying the Goods and Commodities, which shall be mentioned or contained therein, from being seized by any Officer of His Majesty's Revenue, and forfeited as Goods clandestinely run or imported, or fraudulently brewed, made, or distilled.

Provided allways, That if the Carriage of such Goods and Commodities from one Place to another, shall be prevented from being fully performed within the Time limited

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in such Permit, by any unforeseen or unavoidable Accident, then, on Notice being immediately given by the Owner or Carrier of such Goods or Commodities to any Officer of the Revenue, and a Rest or Stay being made of such Goods or Commodities, at or near the Place where such Accident shall happen, the Officer of the Revenue, to whom such Notice shall be given as aforesaid, shall without any Delay repair to the Place where such Goods and Commodities shall then be; and if such Officer shall find, upon View or Enquiry, such Goods and Commodities were stopped or delayed in their Carriage, by any such Accident as before mentioned, then, and in such Case, such Officer shall thereupon, by Indorsement on such Permit, enlarge the Time for the Carriage of the said Goods to the Place of their first Destination; and if any Officer of the Revenue shall wilfully or negligently omit or refuse to do his Duty herein according to the Directions aforesaid, such Officer shall, on Proof being made thereof to the Satisfaction of the Chief Commissioners of His Majesty's Revenue, or any three or more of them, forfeit and lose the Sum of Ten Pounds.

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Provided also, and be it further Enacted by the Authority aforesaid, That in all Cases where the Carriage of such Goods and Commodities shall by Means of any Accident be prevented from being performed within the Time limited by the said Permit, and that fully proved to the Satisfaction of the Chief Commissioners and Sub-Commissioners of Excise in their respective Districts, the said Permit shall continue and be in Force for the Carriage of the said Goods and Commodities to the Place of their Destination, for such Time only, and no longer, as was lost or delayed by such Accident.

And whereas it will be advantageous to the Tillage of this Country, that some additional Drawback of the Inland Excise upon Spirits and Strong Waters distilled in this Kingdom, may be given upon Exportation of the same, be it Enacted by the Authority aforesaid, That from and after the First Day of January one thousand seven hundred and sixty seven, the Person exporting such Spirits or Strong Waters, shall be intitled to an additional Drawback of Three pence per Gallon, out of the Inland Excise, upon such Spirits or Strong Waters,

Waters, over and above any other Drawback heretofore granted upon Exportation of the same, such Drawback to be allowed in such Manner as such Person would have been intitled to any former Drawback of Excise, under an Act made in the Thirty third Year of His late Majesty's Reign, intituled, An Act for the better Regulating the Collection of His Majesty's Revenue, and for Preventing of Frauds therein; and for Repealing an Act made the last Session of Parliament, intituled, *An Act for Continuing and Amending several Laws heretofore made relating to His Majesty's Revenue, and for the more effectual Preventing of Frauds in His Majesty's Customs and Excise*, and the several Acts and Statutes which are mentioned in the said Act, and continued thereby, such Person performing the several Requisites, and subject to the several Restrictions and Penalties in the said Act mentioned.

And be it further Enacted by the Authority aforesaid, That no Person or Persons shall ship, or put on Board any Ship or Vessel, any Spirits, exceeding what shall be necessary for Ship's Stores during her intended Voyage, in Order to discharge or land the same in any other Port or Place within this Realm, unless

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such Person or Persons shall, before the shipping thereof, declare and manifest to the Collector, Customer, or Comptroller of the Port where the same shall be shipped, in the open Custom-House, the just and true Contents and Value of the said Spirits, and shall also make and enter into a sufficient Obligation in the Law to the King's Majesty, His Heirs and Successors, with sufficient Sureties, in such Sum as shall amount to double the Value of such Spirits so declared and manifested, with Condition that the same shall be discharged at some lawful Port or Place within this Realm (mentioning the Port or Place particularly) and not in any other Port or Place whatsoever (the Danger of the Sea only excepted) and that a Certificate shall be returned within the Space of Six Months, attested by the Collector, or other chief Officer of the Port where such Spirits shall be landed, that the same were landed accordingly; and the said Bond shall be valid and effectual in Law for the Recovery of the Penalties therein respectively contained, until such Certificate shall be returned as aforesaid, and shall from thenceforth be void, and delivered up to be cancelled.

Provided

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Provided always, That if the said Spirits shall perish, or be lost at Sea, and that duly proved to the Satisfaction of the Chief Commissioners of the Revenue, or any three or more of them, the said Bonds shall thereupon be void and of no Effect, and be delivered up to the respective Obligors; which Bonds and Certificates the Collectors, Customers, or Comptrollers respectively are hereby required and authorized to take and give accordingly.

And whereas by an Act made in the Seventeenth and Eighteenth Years of the Reign of King Charles the Second, intituled, An Act for the better ordering the selling of Wines and *Aqua Vitæ*, together with all Sorts of Strong Waters by Retail; It is among other Things Enacted, That none shall sell, or utter Wine or Strong Waters by Retail, unless licensed thereto, as by the said Act is directed: And it is further Enacted in and by the said Act, that the Sums payable upon the issuing and granting Licences for the selling of Wines and Strong Waters respectively, shall be paid by two several equal Payments; the first thereof to be made before the Person so to be licensed, take out his Licence, and

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the ſecond Payment to be made at the End of Six Months after the Date of ſuch Licence, and the Parties ſo to be licenſed are required by the ſaid recited Act to enter into Bonds for the reſpective ſecond Payments: And whereas ſeveral Perſons who have executed Bonds for the ſaid ſecond Payment, neglect or refuſe to pay the Money for which ſuch Bonds were entered into, and are greatly encouraged to delay the ſaid ſecond Payment, by Reaſon of the tedious and expenſive Method of ſuing for the ſame, by Action of Debt, Bill, Plaint, or Information, in a Court of Record, as by the ſaid recited Act is required; Be it therefore further Enacted by the Authority aforeſaid, That from and immediately after the paſſing of this Act, it ſhall and may be lawful to and for the Collectors of Excile in their ſeveral and reſpective Diſtricts in this Kingdom, in his or their Names reſpectively, to ſue for and recover all and every Sum and Sums of Money now due, or hereafter to become due upon ſuch Bonds, as have been, or ſhall be hereafter executed for ſuch ſecond Payment of Licence-Money, in a ſummary Way, by Civil Bill, before the Juſtice or Juſtices of Aſſize in their reſpective Circuits, or before ſuch Juſtices of the

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peace, or such of his Majesty's Council at Law, as shall attend at the Quarter-Sessions to be held for the County of Dublin, or in the County of the City of Dublin, before the Recorder of the said City, or the person or persons authorized to hear Civil Bills in his Absence, and such Suits shall be proceeded on, and Costs paid in the same Manner as is usual between Party and Party, under the several Civil Bill Acts now in Force, and the Determinations thereon shall be as valid and effectual in the Law, as if the same had been carried on and prosecuted by Action of Debt, Bill, Plaint, or Information in a Court of Record; any Thing in the said recited Act to the contrary in any wise notwithstanding. CHAP. XVI.

And whereas there are at present great Quantities of Spirits sold in obscure and unlicensed Houses; and whereas Abuses of this Kind do frequently pass unpunished; in order therefore for the more effectually preventing the same, be it Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty six, it shall and may be lawful to and for any one or more of his Majesty's Justices of

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the Peace, on Information upon Oath before him or them, to ſummon (and they are hereby required ſo to do) any Perſon or Perſons ſuſpected of ſelling Spirits, or Strong Waters, Wine, Beer, or Ale, without Licence, and to require in ſaid Summons ſuch Perſon or Perſons to bring with him or them, and produce before ſuch Juſtice or Juſtices of the Peace, ſuch Licence or Authority as he, ſhe, or they may have for Sale of ſuch Beer, Ale, Spirits, Wine, or Strong Waters, and in caſe ſuch Perſon or Perſons ſhall not produce ſuch Licence or Authority as aforeſaid, then and in ſuch Caſe, ſuch Juſtice or Juſtices ſhall proceed to examine ſuch Witneſs or Witneſſes upon Oath, as ſhall be produced, which Oath ſuch Juſtice or Juſtices is and are hereby Impowered to adminiſter, and determine whether ſuch Perſon or Perſons did ſell any ſuch Liquors as aforeſaid, within Six Months previous to the iſſuing ſuch Summons, and whether ſuch Perſon or Perſons was or were duly authorized to ſell the ſame; and in Caſe it ſhall appear to ſuch Juſtice or Juſtices, that ſuch Perſon or Perſons did ſell any of ſuch Liquors within Six Months previous to the iſſuing ſuch Summons, and was not, or were not duly licenſed

censed thereunto; that then such Justice or Justices is and are hereby required to award any sum of Money, not exceeding Forty Shillings, to be paid by such Person who shall sell without Licence any of such Liquors as aforesaid. And in Case of Nonpayment thereof, to issue a Warrant under his or their Hand or Hands, and Seal or Seals, to levy such Sum as shall be so awarded by Distress and Sale of the Goods and Chattles of such Person so selling any of such Liquors without Licence as aforesaid, over and above all other Penalties whatsoever, which he, she, or they may be subject and liable to by the Laws now in Force; which said Sum so awarded shall go to the Informer. CHAP. XVI.

And be it Enacted by the Authority aforesaid, That in Case such Seller or Sellers of such Liquors as aforesaid, shall not have Effects to the Amount of such Sum as shall be awarded against him, her, or them as aforesaid, then and in such Case, said Justice or Justices of the Peace may and are hereby respectively required, and further authorized by Warrant under his or their Hands and Seals, to commit to the House of Correction or County Gaol, the Person or Persons so offending, there

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to remain without Bail or Mainprize for the Space of One Kalendar Month.

And whereas by an Act of parliament made and passed in the Third Year of his present Majesty's Reign, intituled, An Act for continuing and amending two several Acts of Parliament therein mentioned; and for the more effectual preventing of Frauds in His Majesty's Customs and Excise; and for other Purposes therein mentioned: It is enacted, That from and after the Twenty fourth Day of June One thousand seven hundred and fifty four, it should and might be lawful to and for the Collector of the Duties arising from Strong Water Licences in the Collection of Dublin District, to take and receive from every Person that shall be licensed to sell Strong Waters by Retail, the Sum of Two Shillings, and no more, for every Recognizance; Be it further Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June One thousand seven hundred and sixty six, it shall and may be lawful to and for the several Collectors of the Duties arising from Strong Water Licences in the Collections of the several other Districts in this Kingdom, to take and receive from every Person that shall be licensed to sell Strong

Waters

Waters by Retail in their respective Districts, the Sum of two Shillings, and no more, for every Recognizance; Provided that such Collectors respectively do take good and sufficient Security, that the said Persons respectively do keep a good and orderly House, according to the Intent and Meaning of the Act of Parliament made in the Thirty Third Year of the Reign of his said late Majesty King George the Second, in the said last mentioned Act recited.

And whereas by an Act of Parliament made and passed in the Third Year of his present Majesty's Reign, intituled, An Act for Continuing and Amending two several Acts of Parliament therein mentioned, and for more effectual Preventing of Frauds in His Majesty's Customs and Excise, and for other Purposes therein mentioned, it is Enacted, That from and immediately after the passing of the said recited Act, there should be payable to his Majesty, his Heirs, and Successors, for every Licence to be granted for selling Aqua Vitæ, or any Kind of Strong Waters or Spirits whatsoever by Retail in the City of Dublin, and within Four Miles of the Tholsel of the said City, as well within Franchises as without, such Sum as should be agreed to be paid for such Licence,

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cente, purſuant to the Direction of the ſaid Act of Parliament, made in the Seventeenth and Eighteenth Years of the Reign of King Charles the Second, in the ſaid laſt mentioned Act recited, ſo as none ſhould pay leſs than the Sum of Four Pounds yearly, and none ſhould be compelled to pay more than Ten Pounds yearly; any Law to the contrary in any wiſe notwithſtanding: And whereas ſince the paſſing of the ſaid recited Act of Parliament, made in the Third Year of the Reign of His preſent Majeſty, the Licence granted for ſelling of Strong Waters in the Collection of Dublin Diſtrict, are decreaſed to one Fourth of the Number uſually granted yearly before the paſſing of the ſaid Act, by reaſon whereof, the Fees of the Collector of the Duties ariſing from Strong Water Licences in the Collection of the ſaid Diſtrict, are reduced to one Fourth Part of the Sum which they uſually amounted to yearly before the paſſing of the ſaid Act, be it therefore Enacted by the Authority aforeſaid, That from and after the ſaid Twenty fourth Day of June One thouſand ſeven hundred and ſixty ſix, it ſhall and may be lawful to and for the Collector of the Duties ariſing from Strong Water Licences in the Collection of Dublin Diſtrict, to take and receive from every

Perſon

perſon that ſhall be ſo licenſed, the Sum of One Shilling Engliſh, and no more, for every Licence which ſhall be ſo granted, over and above the Sum of One Shilling allowed to him as a Fee upon each Licence, by two ſeveral Acts of Parliament made in the Reign of King Charles the Second, in the ſaid Act of the Thirty third Year of the Reign of King George the Second, particularly recited; any Thing in the ſaid Acts, or any of them, to the contrary notwithſtanding.

And whereas by an Act paſſed in the Third Year of his Majeſty's Reign, intituled, An Act for Continuing and Amending two ſeveral Acts of Parliament therein mentioned, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, and for other Purpoſes therein mentioned, it was among other Things Enacted, That from and after the Twenty fourth Day of June One thouſand ſeven hundred and ſixty four, no Perſon or Perſons whatſoever ſhould ſuffer his, her, or their Goods, Wares, or Merchandizes to remain or lie on the Cuſtomhouſe Quay of the Port of Dublin, for any longer Space of Time than Ten Days after the ſame had been landed, under the Penalties in the ſaid Act

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particularly mentioned: And whereas the Provisions made in and by the said recited Act for the Removal of several Goods, Wares, or Merchandizes, within the Time thereby limited, have been found ineffectual to answer the Ends thereby intended; be it therefore Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June One thousand seven hundred and sixty six, all Spirits, and other Liquors whatsoever, that are rated, or pay Duty to His Majesty by the Gauge, shall be taken and carried away from off the Customhouse Quay of the Port of Dublin, within three Days (commonly called Working-Days) that is to say, Three Days (not being Sundays or Holydays) after such Spirits, or other Liquors as pay Duty by Gauge, shall be gauged; and all Wines and other Liquors, that are not charged or pay Duty by the Gauge, shall be removed and taken away from off the said Customhouse Quay within Three Days (commonly called Working-Days) after the same shall be landed; and all Goods and Commodities whatsoever, that are charged and pay Duty according to their Weight, shall be removed and taken away from off the Customhouse Quay within Three Days (commonly called Working-

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Working-Days) after the same shall be weighed; and if any Person or Persons shall, contrary to the Directions of this Act, permit or suffer his, her, or their Goods or Merchandizes, herein before particularly mentioned and enumerated, to lie or remain on the said Quay for any longer Space of Time than herein before is mentioned, concerning the same respectively, then, and in the several and respective Cases aforesaid, the Person and Persons offending in the Premisses, shall, for every Time he, she, or they shall so offend, forfeit the Sum of Twenty Shillings Sterling, for every Night he, she, or they shall permit or suffer his, her, or their Goods and Commodities herein before particularly specified or enumerated, to lie or remain on the said Quay after the Expiration of the said Three Days (commonly called Working-Days) to be computed from the respective Times of Gauging, Landing, or Weighing of the same, as herein before is mentioned; which said Penalty of Twenty Shillings shall and may be sued for and recovered by Civil Bill before the Recorder of the City of Dublin, or the Person appointed to hear Civil Bills in his Absence (who are hereby respectively

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authorized and required to hear and determine the ſame) and ſhall be to the ſole Uſe and Benefit of the Perſon or Perſons who ſhall without Fraud or Covin, firſt ſue for the ſame.

Provided nevertheleſs, That if any Difference, Matter of Controverſy or Difficulty ſhall happen to ariſe between any Merchant, Trader, or Dealer, and the Chief Commiſſioners of the Revenue, the Port-Collector, Surveyors, or other Officers on the ſaid Quay, then, and in that Caſe, the ſaid Three Days (commonly called Working-Days) ſhall not commence until Three Days (commonly called Working-Days) after ſuch Difference, Matter of Controverſy, or Difficulty ſhall be determined.

And whereas by an Act paſſed in the Third Year of his Majeſty's Reign, intituled, An Act for Continuing and Amending two ſeveral Acts of Parliament therein mentioned, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, and for other Purpoſes therein mentioned, it is among other Things Enacted, That no Licence ſhall be granted for the retailing of

of Spirituous Liquors, Beer, Ale, Wine, Cyder, or other Liquors within any Gaol, Prison, House of Correction, Work-House, or House of Entertainment for any Parish-Poor, and that all Licenses, granted or to be granted contrary to the Provision in the said recited Act, should be void and of no Effect, from and after the Twenty fourth Day of June One thousand seven hundred and fifty four: And whereas the Prohibition contained in the said recited Act, has proved ineffectual, by reason that the Penalty of selling the several Liquors aforesaid by Retail without a Licence, is only Five Pounds, which has been found too small an Encouragement for any Informer to prove the Offence against the Persons guilty thereof; for Remedy whereof, be it further Enacted by the Authority aforesaid, That if any Gaoler, Master, or Keeper of any Gaol, Prison, House of Correction, Work-House, or House of Entertainment for any Parish-Poor, shall either by themselves, or secretly and fraudulently by the Means of any other Person or Persons, retail or sell any Spirituous Liquors, Beer, Ale, Wine, Cyder, or other Liquors, within any Gaol, Prison, House of Correction, Work-House, or House of Entertainment for any Parish-Poor, the

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Perſon or Perſons ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of Fifty Pounds.

And be it further Enacted by the Authority aforeſaid, That from and after the ſaid Twenty fourth Day of June One thouſand ſeven hundred and ſixty ſix, no Duty whatſoever ſhall be paid to His Majeſty, His Heirs, or Succeſſors, for or upon the Importation of the Wood or Timber, commonly called and known by the Name of Lignum Vitæ, nor upon any Linen Rags that ſhall be imported into this Kingdom.

And be it further Enacted by the Authority aforeſaid, That no Duty ſhall be paid henceforth unto his Majeſty, His Heirs, and Succeſſors, for or on Account of any Flour or Rape-Seed Oil, made and manufactured in this Kingdom, upon the Exportation thereof.

And whereas it has frequently happened, That the Collectors of His Majeſty's Revenue, and their Clerks, have reſpectively run in Arrear to His Majeſty, and have thereupon abſconded and withdrawn themſelves, ſo as not to be diſcovered, and have carried

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carried with them, or secreted the several Books of Account relating to his Majesty's Revenue under their Collection and Care, with Intent to prevent the Chief Commissioners of his Majesty's Revenue, or the Officers employed under them, to examine their several Accounts, Entries, and Disbursements, in order to ascertain the Balance remaining due to his Majesty after all just Allowances: For Remedy of which Evil, Be it further Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June One thousand seven hundred and sixty six, if any Collector, or Clerk of any Collector, or other Person or Persons whatsoever, shall wilfully destroy, or cause to be destroyed, or shall, with design to defraud his Majesty, his Heirs or Successors, wilfully obliterate or deface, or cause to be obliterated or defaced, any of the Books of Account appertaining to his Majesty's Revenue, or belonging to any Custom-House, or Excise-Office within this Kingdom, then, and in that Case, every such Collector, Clerk of any Collector, or other Person or Persons whatsoever, on being legally convicted thereof, shall be adjudged guilty of Felony, and shall suffer the Pains

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and Penalties of Death without Benefit of Clergy, or of the Statute.

And be it further Enacted by the Authority aforesaid, That if any Collector, Clerk of any Collector, or other Person or Persons whatsoever, shall wilfully take away, or secrete any of the Books of Accounts appertaining to His Majesty's Revenue, or belonging to any Custom-House or Excise-Office, and shall not, within Twenty one Days after Demand made by the Chief Commissioners of His Majesty's Revenue, or any two or more of them, or by any Officer specially authorized for that Purpose, by Writing under the Hands and Seals of any two or more of the Commissioners of His Majesty's Revenue, deliver up (upon Oath, if required) to the said Chief Commissioners, or Officers authorized by them as aforesaid, all such Books of Account relating to His Majesty's Revenue, in his, her, or their Custody or Power, then and in such Case every Collector, Clerk of any Collector, or other Person or Persons offending in the Premisses, on being legally convicted thereof, shall be adjudged guilty of Felony, and shall suffer the Pains and Penalties of Death without Benefit of Clergy, or of the Statute.

Pro-

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Provided nevertheless, That no Attainder, Corruption of Blood, or other Disability shall ensue such Conviction.

Provided also, That in Case such Collector, or Clerk of any Collector, shall abscond or conceal himself, so as a personal Demand cannot be made for such Books of Account as are herein before mentioned, then and in that Case, on Notice, or Demand made in Writing, and affixed to the principal Door of such Custom-House or Excise-Office, and printed in the Dublin Gazette for the Space of Three Kalendar Months, such Notice or Demand so affixed and printed, shall be deemed and taken to be as effectual in Law, to all Intents, Constructions and Purposes, as if a personal Demand had been made on such Collector, or Clerk charged with taking away or secreting such Books of Account.

Provided allways, and be it further Enacted by the Authority aforesaid, That no Person or Persons shall be prosecuted by Indictment or otherwise, for any of the Offences hereby made Capital, unless the

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same be brought or exhibited within Two Years next after the Offence committed, and not after the said Two Years.

And be it further Enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June One thousand seven hundred and sixty six, all Brandy, Rum, and Spirits (except Cordial Waters) in Casks under Fifty Gallons Gauge, and all Tea in any Package whatsoever (except such Tea as shall be directly brought from Great Britain, and proved to have been exported from thence) and Tobacco in any Package containing less than Five hundred Pounds Weight, shall be seized and forfeited if found on Board any Ship, Vessel or Boat, in any Port or Harbour of this Kingdom, or hovering within Three Leagues of the Shore of this Kingdom, or shall be discovered so to have been, although Bulk shall not appear to have been broke, or any of the said Goods or Commodities before mentioned, run or attempted to have been run out of such Ship, Vessel, or Boat, (save only and except in Case of unavoidable Necessity and Distress; which Necessity and Distress the Master, Purser, or Person having

having or taking the Charge or Command of such Ship or Vessel, shall immediately after the Arrival of such Ship or Vessel into any Bay, Harbour, River, or Creek of, or belonging to this Kingdom, give Notice and make Proof of before the Collector, or other Chief Officer resident at the nearest Port, where such Ship or Vessel shall arrive. CHAP. XVI.

Provided nevertheless, that it shall be lawful to have so much Tea, Brandy, Rum, or Spirits, for the Use of the Seamen then belonging to, and on Board such Ship or Vessel, as shall not exceed in Quantity more than two Gallons of Spirits for each Seaman, nor more than one Pound of Tea for each Seaman.

And be it Enacted by the Authority aforesaid, That no Salt of the Produce or Manufacture of Great Britain or Ireland, shall, after the Twenty fourth Day of June One thousand seven hundred and sixty six, be exported in any Ship or Vessel of less Burthen than One hundred Tuns, and in Bulk only, and not in Bags or Sacks, and that on the Exportation of any Salt of the Produce or Manufacture of Great

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Britain or Ireland, the Merchant, Exporter or Owner thereof, ſhall enter into a Bond to his Majeſty, his Heirs and Succeſſors, with ſufficient Sureties in the Sum of Six Shillings and eight Pence for every Buſhel of Salt (reckoning Fifty Six Pounds to every Buſhel) that ſhall be ſhipped or put on Board ſuch Ship or Veſſel, with Condition that the ſame, or any Part thereof, ſhall be landed in Great Britain, or in the Iſle of Man, but that the ſame ſhall really and truly be exported for other Parts beyond the Seas; and that a Certificate of ſuch Salt being landed at, or in ſome foreign Port (Great Britain and the Iſle of Man excepted) ſhall be returned within the Space of Six Kalendar Months from the Date of the ſaid Bond, under the Seal of Office of the Chief Magiſtrate in any Port or Place beyond the Seas (except as before excepted) or under the Hand and Seal of the Britiſh Conſul reſiding at ſuch Port or Place, or under the Hands and Seals of two Britiſh Merchants, then being at ſuch Port or Place, that ſuch Salt was there landed; and on Return of ſuch Certificate, the ſaid Bond ſhall be void and of no Effect, and ſhall be delivered up without Fee or Reward to the Obligors, their Execu-

Executors, or Administrators, to be cancelled. CHAP. XVI.

And in order to prevent Frauds being committed by persons shipping Salt on board small Vessels or Boats, under pretence of carrying the same from one Port, Creek, or Place in Ireland, to some other Port, Creek, or Place in the same Kingdom, be it further Enacted by the Authority aforesaid, That no Ship, Vessel, or Boat, laden or partly laden with Salt, with an Intent to discharge or land the same in some other Port or Place within this Realm, shall be suffered to depart from the Port or Place where she shall take in her Lading, until the Master, Purser, or other Person having Charge of the said Ship, Vessel, or Boat, shall take and receive from the Chief Officer of the Revenue of the said Port, or his Deputy, a Coquet, under the Hand of such Officer, expressing the Quantity of such Salt as shall be so shipped to be carried Coastwise; and shall also enter into a Bond to His Majesty, His Heirs, and Successors, with sufficient Sureties in the Sum of Six Shillings and Eight pence for every Bushel of Salt, reckoning Fifty Six Pounds to every

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Bushel, with Condition that the same Salt shall be delivered and discharged in the Port or Place to which the said Ship, Boat, or Vessel shall be destined, or in some other Port or Place within this Kingdom, and not elsewhere (the Danger of the Seas excepted) and that such Master, Purser, or other Person having Charge of such Ship, Boat, or Vessel, shall return a Certificate of the landing thereof, within three Kalendar Months next ensuing the Date of the said Coquet, under the Hands and Seals of the Collector, Customer, or Comptroller of his Majesty's Customs, his or their Deputy or Deputies, in the Port or Place where such Salt shall be landed or discharged; and from and after the Return of such Certificate, the said Bonds shall be void, and be delivered up, without Fee or Reward, to the respective Obligors, their Executors or Administrators, to be cancelled.

And be it further Enacted by the Authority aforesaid, That the said Bonds, to be entered into for the several Purposes aforesaid, shall be valid and effectual in the Law, for the Recovery of the Penalties therein respectively contained; and the several Collectors, Customers, or Comptrollers of his Majesty's

Majesty's Customs in this Kingdom, in their respective Ports or Districts, are hereby authorized and required to take the same according to the Directions herein before mentioned.

Provided allways, That if such Salt so to be exported, or shipped, or to be carried Coastwise, or any part thereof, shall perish, or be lost at Sea, or shall be taken by Enemies or Pirates at Sea, or shall be stranded, and that duly proved to the Satisfaction of the Chief Commissioners of His Majesty's Revenue for the Time being, or any Three or more of them, the said Bonds shall thereupon be void and of no Effect, and be delivered up without Fee or Reward, to the respective Obligors, their Executors or Administrators, to be cancelled.

Provided also, That nothing in this Act shall extend, or be construed to extend to any Salt that shall be shipped or put on board any Boat, Vessel, or Buss, for the salting or curing Fish at Sea, but that it shall and may be lawful for any Fisherman to ship and take on board any Boat, Vessel, or Buss, any Quantity of Salt, for the Purpose aforesaid, so as Oath be

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firſt made before ſome one of the Officers of the Cuſtoms of the Port or Place where ſuch Salt ſhall be ſhipped (which Oath the ſaid Officer of the Cuſtoms is hereby impowered and directed to adminiſter without Fee or Charge) that the particular Quantity of Salt which ſhall be ſo ſhipped or put on board, is not intended to be landed in any Part of Great Britain or the Iſle of Man, but is really and truly, without Fraud or Deceit, intended for the ſalting or curing of Fiſh at Sea, or in ſome Harbour, Port, or Creek in this Kingdom.

Provided alſo, That nothing in this Act ſhall extend, or be conſtrued to extend to prohibit the lading of ſo much Salt as ſhall or may be neceſſary for the Proviſion of the Company, or Crew of any Ship or Veſſel for their Voyage, or for the curing of Fiſh.

And whereas by an Act paſſed in the Thirty third Year of the Reign of His late Majeſty King George the Second, intituled, An Act for the better regulating the Collection of His Majeſty's Revenue, and for preventing of Frauds therein; and for repealing an Act made the laſt Seſſion of Parliament,

ment, intituled, *An Act for continuing and amending ſeveral Laws heretofore made relating to His Majeſty's Revenue; and for the more effectual preventing of Frauds in His Majeſty's Cuſtoms and Exciſe*; and the ſeveral Acts and Statutes which are mentioned in the ſaid Act, and continued thereby; **and by one other Act made in the Second Year of His preſent Majeſty's Reign, intituled,** An Act for continuing and amending an Act, intituled, An Act for better regulating the Collection of His Majeſty's Revenue, and for preventing Frauds therein; and for repealing an Act made the laſt Seſſion of Parliament, intituled, An Act for continuing and amending ſeveral Laws heretofore made relating to His Majeſty's Revenue, and for the more effectual preventing of Frauds in His Majeſty's Cuſtoms and Exciſe; and the ſeveral Acts and Statutes which are mentioned in the ſaid Act, and continued thereby, **and by one other Act made in the Third Year of His preſent Majeſty's Reign, intituled,** An Act for continuing and amending two ſeveral Acts of Parliament therein mentioned; and for the more effectual preventing of Frauds in His Majeſty's Cuſtoms and Exciſe; and for other Purpoſes therein mentioned; **ſeveral Proviſions were made for the better regulating the Collection of His Majeſty's Revenue, and for preventing Frauds there-**

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in, which have been found to be of general Use; Be it further Enacted by the Authority aforesaid, That the said three recited Acts, and all and every the Clauses therein respectively contained (except such Parts thereof as are altered or amended by this present Act) shall continue and be in Force for the Space of Two Years, from the Twenty fourth Day of June One thousand seven hundred and sixty six, and from thence to the End of the then next Session of Parliament, and no longer.

And be it Enacted by the Authority aforesaid, That all and every the Fines, Forfeitures, and Penalties inflicted by this Act, or by the said Three Acts of Parliament herein before last particularly mentioned and recited, or by any of them (other than and except such as are by this Act, or by any of the said Three recited Acts of Parliament herein before mentioned, otherwise provided for) shall and may be sued for, recovered, levied, and applied in such Manner and Form, and by such Ways and Methods, and with such Powers and Authorities as are prescribed, directed, and appointed in and by an Act of Parliament, made in the Fourteenth and Fifteenth Years of the Reign of King Charles the Second

Second, intituled, An Act for the ſettling of the Exciſe or new Impoſt upon His Majeſty, His Heirs and Succeſſors, according to a Book of Rates therein inſerted, as fully and effectually to all Intents and Purpoſes, as if the ſame were particularly mentioned, expreſſed and enacted again in the Body of this preſent Act, with the like Remedy of Appeal to and for the Party or Parties, who ſhall think him, her, or themſelves aggrieved or injured, as in and by the ſaid Act of Exciſe is provided. CHAP. XVI.

Provided allways, and be it Enacted by the Authority aforeſaid, That the ſeveral further Proviſions hereby made for the Security and Improvement of His Majeſty's Revenue, ſhall continue and be in Force from the Twenty fourth Day of June One thouſand ſeven hundred and ſixty ſix, until the Twenty fourth Day of June One thouſand ſeven hundred and ſixty eight, and from the Determination of the ſaid Two Years, to the End of the then next Seſſion of Parliament, and no longer.

CHAP. XVII.

AN

ACT

FOR

Encouraging the Planting of Timber-Trees:

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

Encouraging the Planting of Timber-Trees.

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WHEREAS the Diſtreſs this Kingdom muſt ſoon be in, for Want of Timber, is moſt obvious: And whereas it is equal to Inheritors, whether Tenants do not plant, or have a Property in what they plant, be it Enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent

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of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of September One thousand seven hundred and sixty six, Tenants for Lives renewable for ever, paying the Rents and performing the other Covenants in their Leases, shall not be impeachable of Waste in Timber-Trees or Woods which they shall hereafter plant and covenant in Leases or Settlements heretofore made, Law or Usage to the contrary notwithstanding.

Be it Enacted by the Authority aforesaid, That from the Time aforesaid, any Tenant for Life or Lives, by Settlement, Dower, Courtesy, Jointure, Lease, or any Office, Civil, Military, or Ecclesiastical, impeachable of Waste, or any Tenant for Years, exceeding Twelve Years unexpired, shall plant Sally, Ozier, or Willows, the sole Property of such, shall, during the Continuance of the Term, vest in the Tenant, and he may cut and fell the same, under the Restrictions hereafter mentioned; and if such Tenant shall plant any Timber-Trees of Oak, Ash, Elm, Fir, Pine, Walnut,

Walnut, Chesnut, Horse-Chesnut, Quicken, or Wild Ash, Alder, Poplar, or other Timber-Trees, such Tenant, during the Term, shall be intitled to a House-Boot, Plow-Boot, Cart-Boot, and Car-Boot of such Trees by him planted, and at the Expiration of the Term, or where such Trees shall have attained Maturity, which shall first happen, shall be intitled to the said Trees, or the Value of them, according to the Directions hereafter mentioned; any Covenant heretofore made, Law or Usage to the contrary notwithstanding.

Provided allways, and be it Enacted by the Authority aforesaid, That each person so planting, shall, within six Months next after such Planting, lodge with the Clerk of the Peace of the County where such Plantation is made, a Certificate under the Hand of the Tenant, containing the Number and Kind of the Trees planted, their Height, and Years Growth at the Time of Planting, and a clear Description of the Places, and Manner wherein they shall be planted, which Certificate shall be kept on a separate File among the Records of the County, and entered in an Alphabetical Book, by the Denomination of the

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Land in the said County; and such Certificate, or a Copy thereof, attested by the Acting Clerk of the Peace, shall be Evidence of Notice of such Plantation in all Courts; for filing of which Certificate, alphabeting the same in the Book, and making and attesting a Copy thereof, the Clerk of the Peace shall receive a Fee of One Shilling, and no more, and for a Copy of such Certificate Sixpence, and no more; and to which Book and Certificate all Persons may resort during each Quarter Sessions to be held for such County, without any Fee.

And be it further Enacted by the Authority aforesaid, That in all Cases, where the Expiration of the Term of the Tenant is uncertain, the Tenant, paying the Rent and performing the other Covenants in his Lease, shall be at Liberty for the Space of of One Year next after the Expiration of his Term, to enter on the Lands, and cut and fell in due Seasons, all Trees so planted and registered, and the same to manufacture as needful on the Lands, for the Space of One Year next after such Felling, making reasonable Satisfaction to the Inheritor for the Trespass to be committed by Felling, Coaling, or Manufacturing

nufacturing the same: and where the Expiration of the Term is certain, the Tenant, during the last Year of his Term, paying the Rent, and performing the Covenants, may in like Manner cut and carry away such Trees so planted and registered.

Provided allways, and be it further Enacted by the Authority aforesaid, That if any Person intitled to the Reversion and Inheritance of the Lands immediately, or immediately shall be inclined to purchase such Trees, such Person shall be at Liberty, during the last Year save one of the Term where the Expiration is certain, and within Six Kalendar Months after the Expiration of a Term for Life, or on any uncertain Contingency, to apply by Petition to the Justices of the Peace of the County at their Quarter-Session, and set forth their Title and Intention, giving the Tenant Twenty One Days Notice, and upon entering into a Recognizance with sufficient Securities, conditioned to pay such Tenants such Sums as shall be adjudged to be the Value of the said Trees, according to the Rules of this Act, the Property of the Trees shall from the Time

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of such Notice vest in the Petitioner, and the Justices shall, at the same or ensuing Session, by a Jury of Freeholders of the County, ascertain the Value of the said Trees when felled, over and above the Expence of felling, and the needful Compensation to be made as aforesaid, if any such be, which with the Record of such Judgment and Recognizance, shall be, by the Justices, at the Instance of the Party interested, certified into the Court of Chancery, and Execution shall issue thereupon as usual on Recognizances taken before a Master of that Court, but if such Petitioner shall fail to give such Security at such Session, according to such Notice, the Property of such Trees shall remain in the Tenant.

Provided also, that if more than one Person intitled to such Reversions shall petition, that Person shall be preferred who has the most immediate Title to the Reversion. Provided that this Act shall not extend to Leases to be made by Guardians of Minors, or Custodees of Lunaticks or Ideots, or to any Person in Possession, as Creditors by Mortgage, Custodium elegit, or otherwise, or deriving under such only,

only, or to any Tenant who shall be evicted for Nonpayment of Rent. Provided that where the Reversion belongs to a Minor, and the Court of Chancery shall adjudge that it is for the Benefit of the Minor to purchase such Trees, the Guardian shall have Allowance for what he pays, and Expences for such Purchase, if the Person purchasing such Trees shall be Tenant for Life, or in Tail impeachable of Waste, such Purchaser shall stand in the Place of the Planter, and such Trees, if not felled by him during the Subsistance of his Title, shall be felled or valued according to the Rates of this Act.

And in order to ascertain what Compensation shall be made by such Tenant, intitled by the Rules of this Act to fell Trees after the Expiration of his Term, it shall be lawful for the Tenant to petition the Justices, giving the Reversioner like Notice, and on the Tenant giving like Security by Recognizance, the Court shall, by a Jury, ascertain the Damages, and the like Remedy shall be on the Buyer as before mentioned.

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The Fees to be taken by the Clerk of the Peace for filing and entering every Petition, Six Pence; for filing and copying every Affidavit, Six Pence; for making and filing every Recognizance, Two Shillings and Six Pence; for Rule for Tryal and Precept to the Sheriff, each Party, One Shilling; for making, recording, and certifying the ſame to Chancery, Six Shillings and Eight Pence.

AN

CHAP.
XVIII.

AN

ACT

FOR

The better Preſervation of Corn.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

The better Preſervation of Corn.

CHAP. XVIII.

WHEREAS the Induſtry of the Inhabitants of this Kingdom has conſiderably increaſed ſince Premiums were firſt introduced to encourage Arts and Manufactures, Be it Enacted by

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by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That Eight Premiums, amounting to the Sum of Two Hundred Pounds, ſhall be paid on the Firſt Day of January One thouſand ſeven hundred and ſixty ſeven, to the Land-holders and Farmers of each County in this Kingdom, in the Proportions herein after mentioned, who ſhall then have in their own Poſſeſſion the greateſt Quantity of Corn reaped from Ground occupied by them, and preſerved upon Stands erected in the open Air, Four Feet at leaſt from the Ground, and conſtructed in ſuch Manner that the Air may paſs under the Corn, and that it may be defended from Vermin, by projecting Flag-Stones or Slates: Provided, that no Land-holder or Farmer ſhall be intitled to ſuch Premium, who ſhall have a leſs Quantity in his Poſſeſſion than the Quantity of Corn herein annexed to each Premium; One Premium of Fifty Pounds for any Quantity of Corn, not leſs than Five Hundred Barrels; One Premium of Forty Pounds for any Quantity of Corn, not leſs than Four hundred and Fifty Barrels; One

Premium

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Premium of Thirty Pounds for any Quantity of Corn, not less than Four Hundred Barrels; One Premium of Twenty five Pounds for any Quantity of Corn, not less than Three Hundred and Fifty Barrels; One Premium of Twenty Pounds for any Quantity of Corn, not less than Three Hundred Barrels; One Premium of Fifteen Pounds for any Quantity of Corn, not less than Two Hundred and Fifty Barrels; One Premium of Twelve Pounds for any Quantity of Corn, not less than Two Hundred Barrels; and One Premium of Eight Pounds for any Quantity of Corn, not less than One Hundred Barrels: And to ascertain the Barrel, Twenty Stones of Wheat, Mellin, or Rye, Sixteen Stones of Bere or Barley, and Fourteen Stones of Oats shall be a Barrel of each Species of Corn respectively.

And be it Enacted by the Authority aforesaid, That every Person intending to claim any of the said Premiums, shall, one Month before he or they make such Claim, send Notice in Writing to the Secretary of the Dublin Society of the Quantity and Species of Corn then in his or their Possession, and the said Secretary

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ſhall cauſe an Account of the Quantities and Species of Corn ſo returned to him, diſtinguiſhing the Counties, to be publiſhed, in the Nature of a News-Paper, Once in every Week for a Month, after he ſo receives the ſame; and that the Perſon or Perſons intending to claim any of the Premiums aforeſaid, may be able to aſcertain the Number of Barrels of Corn in his or their Poſſeſſion, ſuch Perſon and Perſons is and are hereby required to keep an exact Account of the Number of Barts of Corn, reckoning Twenty Sheafs to each Bart, put up or placed upon each Stand; and before he or they ſend ſuch Notice as aforeſaid to the Secretary of the Dublin Society, he or they are hereby required to cauſe Ten Barts of each Species of Corn to be taken from off each Stand (if more than One) Five Barts from one Part of ſuch Stand, and Five Barts from another Part of ſuch Stand, and to have the ſame threſhed, and the Return thereof winnowed and cleaned, and is hereby required to ſend, in ſuch Notice, the exact Produce of ſaid Barts ſo threſhed.

And be it Enacted by the Authority aforeſaid, that the Vice-Treaſurer or Vice-Treaſurers of this Kingdom, or his or their

their Deputy or Deputies, shall pay the Premiums aforesaid, which shall be allowed to him or them in his or their Accounts, to the Land-Holders and Farmers of such County, who shall appear to have the greatest Quantity of Corn, not less than the Quantities aforesaid, in their Possession at the Time aforesaid, preserved as herein set forth. Provided that before any Person shall receive any of the aforesaid Premiums, such Person shall produce to the said Vice-Treasurer or Vice-Treasurers, his or their Deputy or Deputies, his own Affidavit, and also the Affidavit of two other Persons employed by him in the Care and Management of the Corn in his Possession, sworn before two Justices of the Peace, setting forth the Quantity of Ground tilled; the Parish and Barony where the same lies; that the same was tilled by him or his Order, and occupied by him; the Number, Height, and Dimensions of his Stands; of what Materials constructed; the Species of Corn upon such Stand or Stands; the Number of Warts, and the exact Produce of such Warts as were taken from such Stand or Stands, and threshed, and that the same were taken indifferently; and what Number of Barrels of Corn, to the best of his or their Judg-

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ment, such Stand or Stands contain; and every Person claiming any of the aforesaid Premiums, shall, together with the said Affidavits, deliver to the said Vice-Treasurer or Vice-Treasurers, or his, or their Deputy or Deputies, a Certificate signed by the Rector or Vicar, or in his or their Absence, by the Curate of the Parish in which such Corn grew, that he hath viewed the Stand or Stands, and Corn mentioned in said Affidavits, and believes the Contents of the said Affidavits to be true.

And be it Enacted by the Authority aforesaid, That if any Person or Persons shall wilfully swear falsely in any such Affidavit as aforesaid, such Person or Persons, when convicted thereof, shall suffer as Persons convicted of wilful and corrupt Perjury.

And be it Enacted by the Authority aforesaid, That the like Premiums, subject to the same Conditions and Restrictions, shall be paid yearly upon every First Day of January, for the Term of seven Years from the said First Day of January One thousand seven hundred and sixty seven, and to the End of the then next Session of Parliament.

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XIX.

AN

ACT

FOR

The further Encouragement of Tillage in this Kingdom.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Most Excellent Majesty. MDCCLXVI.

AN

ACT

FOR

The further Encouragement of Tillage in this Kingdom.

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CHAP. XIX.

WHEREAS the Laws heretofore made for the Encouragement of Tillage in this Kingdom, have not had the desired Effect; Be it Enacted by the King's most Excellent Majesty,

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by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Firſt Day of March in the Year One thouſand ſeven hundred and ſixty ſeven, when Wheat ſhall not exceed the Price of Six Shillings per Hundred Weight, Barley the Price of Three Shillings and Nine Pence per Hundred Weight, and Oats the Price of Three Shillings per Hundred Weight, any Merchant, or other Perſon who ſhall put on Shipboard in Britiſh or Iriſh Shipping, the Maſter and two Thirds of the Mariners at leaſt being his Majeſty's Subjects, any of the ſaid Sorts of Corn in any Port within this Kingdom, when the Rates ſhall not be higher than as before mentioned, with Intent to export the ſame beyond the Seas (except to the Iſle of Man) ſhall, after entering into ſuch Bond, and performing the ſeveral other Requiſites directed by an Act of Parliament made in this Kingdom in the Twenty ninth Year of the Reign of his late Majeſty King George the Second, have and receive from the Collector or Officer of ſuch Port reſpectively, inſtead of the Allowances to be made by Virtue of the ſaid Act, the Rates

Allowances,

Allowances, or Premiums following, and no more (that is to say) for every Hundred Weight of Wheat, Eight Pence; for every Hundred Weight of Barley, Five Pence; for every Hundred Weight of Oats, Five Pence; which said several Sum or Sums of Money respectively, such Collector or Officer is hereby authorized and required to pay to such Exporter, upon Demand, without requiring or taking any Custom, Fee, or Reward, for such Corn so laden to be exported; any Law, Statute, or Usage to the contrary notwithstanding.

And be it Enacted by the Authority aforesaid, That from and after the First Day of March in the Year One thousand seven hundred and sixty seven, all Presentments of the Rates or Prices of Corn shall be by the Stone Weight.

And be it Enacted by the Authority aforesaid, That if any Grand Jury of any County within this Kingdom, or any Grand Jury of any County of a City, or County of a Town, shall at any General Quarter Sessions fail to enquire upon Oath, and present such Rates or Prices, the Justices of the Peace attending such

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Quarter Seſſions are hereby impowered and required to fine every Grand Juror offending herein, in any Sum not exceeding Forty Shillings; and ſhall cauſe ſuch Fine to be eſtreated into His Majeſty's Court of Exchequer, for the Recovery whereof Proceſs ſhall iſſue, as in ſuch Caſes is uſual.

And be it Enacted by the Authority aforeſaid, That the ſaid Rates, Allowances and Premiums ſhall and may be paid from the Firſt Day of March to the Firſt Day of September, both inclusive, and ſhall not be paid in any other Part of the Year.

And be it Enacted by the Authority aforeſaid, That every Perſon who ſhall export Wheat, Barley, or Oats from the Port of Dublin, ſhall, before he receives any of the ſaid Premiums or Allowances, make Oath before the Officer paying ſuch Premiums or Allowances, that he verily believes no Premium or Allowance had been given for bringing the ſaid Wheat, Barley or Oats, or any Part thereof to the ſaid City of Dublin, under the Acts made in this Kingdom, for granting Premiums upon the Inland Carriage of Corn, or any of them, and ſhall alſo ſet forth in

the ſaid Affidavit the County or Counties, and Pariſh or Pariſhes, in which he verily believes the ſaid Corn grew. CHAP. XIX.

Provided always, and be it Enacted by the Authority aforeſaid, That the Lord Lieutenant, or other Chief Governor or Governors for the Time being, and Privy Council, ſhall be empowered to ſuſpend the Payment of the ſaid Premiums or Allowances, or any of them, from the ſaid Port of Dublin.

And be it further Enacted by the Authority aforeſaid, That this Act ſhall continue in Force until the Firſt Day of March, which will be in the Year of our Lord One thouſand ſeven hundred and ſeventy two, and no longer.

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XX.

AN

ACT

FOR

Erecting and Eſtabliſhing Publick Infirmaries or Hoſpitals in this Kingdom.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

Erecting and Eſtabliſhing Publick Infirmaries or Hoſpitals in this Kingdom.

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WHEREAS providing Receptacles in the ſeveral Counties in this Kingdom herein after mentioned, for the poor who are Infirm and Diſeaſed, would be a Means of reſtoring the Health, and preſerving

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serving the Lives of many of His Majesty's Subjects, of promoting Labour and Industry, and of incouraging the Manufactures of this Kingdom; Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That his Grace the Archbishop of Armagh, the Lord High Chancellor for the Time being, the Bishop of the Diocese, and Rector or Vicar of the Parish for the Time being, wherein any such Infirmary or Hospital, as is herein after mentioned, shall be situated, shall, from and after the Twenty fourth Day of June One thousand seven hundred and sixty six, within their several and respective Counties, forever, in Name and Fact be several Bodies Politick and Corporate in Law, to all Intents and Purposes, and more especially for the Purpose of erecting or establishing publick Infirmaries or Hospitals in the several and respective Counties herein after mentioned (that is to say) in the Counties of Armagh, Cavan, Down, Fermanagh, Londonderry, Monaghan, Tyrone, Carlow, Kilkenny, King's County, Longford, Lowth, Leitrim, Queen's County, Westmeath, Wexford, Wicklow, Clare, Kerry,

Kerry, Limerick, Galway, Roſcommon and Sligo; the ſaid ſeveral Infirmaries or Hoſpitals to be erected or eſtabliſhed in ſuch places reſpectively as ſhall be approved of by the reſpective Corporations of ſaid Counties, in the ſeveral and reſpective County Towns, or at a Diſtance not exceeding One Mile from the Court-Houſe in the County Town of each and every of the ſaid Counties, excepting the Counties of Meath, Antrim, Donegal, Kildare, Cork, Mayo, and Tipperary, the Infirmaries or Hoſpitals for the ſaid laſt mentioned Counties, to be erected and eſtabliſhed in the ſeveral and reſpective Towns herein after mentioned, that is to ſay, the Infirmary or Hoſpital for the County of Meath, to be erected or eſtabliſhed in the Town of Navan in that County; for the County of Antrim, in the Town of Liſburne in that County; for the County of Cork, in the Town of Mallow in that County; for the County of Mayo, in the Town of Caſtlebar in that County; for the County of Donegal, in the Town of Letterkenny in that County; for the County of Kildare, in the Town of Kildare in that County; for the County of Tipperary, in the City of Caſhell in that County.

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And be it further Enacted by the Authority aforeſaid, That every Donor of any Sum, not leſs than Twenty Guineas, to any of the ſaid Infirmaries or Hoſpitals, ſhall, from the Time of ſuch Donation, be a Member of the Body Corporate for ſuch reſpective Infirmary or Hoſpital; and every Perſon who ſhall ſubſcribe and pay any Sum, not leſs than Three Guineas, for the Uſe of any of the ſaid Infirmaries or Hoſpitals, ſhall be a Member of the Body Corporate for ſuch reſpective Infirmary or Hoſpital, for One Year, from the Twenty fourth Day of June next following ſuch Subſcription and Payment; which ſaid ſeveral Bodies Politick and Corporate, ſhall have perpetual Succeſſion, and be called the Governors and Governeſſes of the reſpective County Infirmaries or Hoſpitals in this Kingdom, and ſhall be enabled to plead and be impleaded, and to ſue and be ſued by thoſe Names of Incorporation reſpectively, and ſhall and may have a common Seal for their Uſe, and may without Licence in Mortmain purchaſe, take, and receive any Lands, Tenements or Hereditaments whatſoever, not exceeding the annual Value of Two Hundred Pounds, and ſhall and may be capable of taking

taking Gifts, Grants, Contributions and Benefactions, to any Amount, in perſonal Property, in Truſt for the ſole Uſe and Benefit of the Infirmary or Hoſpital of the particular County to which ſuch Benefactions ſhall be made, and ſhall have Power to employ the ſame for the Uſe of the ſaid Infirmary or Hoſpital, in ſuch Manner as they ſhall judge proper, unleſs the Donor ſhall direct the Manner of applying ſuch Benefactions, in which Caſe, the Directions of the Donor ſhall be obſerved, and ſhall and may receive all Donations and Subſcriptions for the Support of the ſaid Infirmaries or Hoſpitals, until ſuch Time as a Treaſurer ſhall be appointed in the Manner, and for the Purpoſes herein after mentioned.

And be it further Enacted by the Authority aforeſaid, That all Tenants for Life, with Remainders to their firſt and other Sons in Tail, ſhall be, and are hereby impowered to make Fee-Farm Grants or Leaſes in perpetuity to the reſpective Governors or Governeſſes of each County Infirmary or Hoſpital, of any Quantity of Ground, not exceeding two Acres, or of one or more Houſes contiguous with

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each other, at the full improved Rent; which Fee-Farm Grants and Leases the said Governors shall, and are hereby impowered to take respectively, for building and erecting an Infirmary or Hospital for each respective County, on such Ground, or for converting such House or Houses into an Infirmary or Hospital for such respective County.

And be it further Enacted by the Authority aforesaid, that as soon as an Infirmary or Hospital shall be erected or established in any of the said Counties, and fit for the Reception of Patients, the Governors or Governesses shall give Notice in two of the Dublin News-Papers, that such Infirmary or Hospital is ready for the Reception of Patients, and that they will on a certain Day (which shall be in Twenty one Days at least from the Date of the said Notice, and specifying the Time and Place) proceed to the Election of a Surgeon for the said Infirmary or Hospital, and that no Person shall be capable of being elected, who shall not have served a regular Apprenticeship of Five Years to a Surgeon, and have likewise undergone an Examination before the Surgeon-General,

the

the Visiting-Surgeon, the two Assistant-Surgeons, and the Resident-Surgeon of Doctor Stephen's Hospital, and the Five Senior Surgeons of Mercer's Hospital, both situate in the City or Suburbs of Dublin, or such a Number of them as they shall at any Time appoint to make such Examination, and shall produce a Certificate from the said Examiners, or the major Part of them, that he hath served an Apprenticeship of Five Years to a Surgeon, and hath undergone a proper Examination as aforesaid, and is in all Respects qualified to be a Surgeon to the said Infirmary or Hospital; And in Case of a Vacancy of a Surgeon in any of the said Infirmaries or Hospitals, the Governors and Governesses shall proceed to elect in the Manner and Form aforesaid.

And be it further Enacted by the Authority aforesaid, That the Surgeon so to be chosen and appointed as aforesaid for the said respective County Infirmaries or Hospitals, shall each of them be paid by the Year, a Sum not exceeding One Hundred Pounds, to be paid out of the Publick Money; which Sum of One Hundred Pounds shall be applied either to Physician or Surgeon, or other Use of the

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Infirmary or Hoſpital, as the ſaid Governors or Governeſſes ſhall think proper, and to commence from the Time when each reſpective Phyſician or Surgeon ſhall enter upon his Office, and obtain a Certificate thereof from the Treaſurer of ſuch reſpective Infirmary or Hoſpital; which ſaid Sum of One Hundred Pounds ſhall be paid half yearly by the Vice-Treaſurer or Vice-Treaſurers of this Kingdom, his or their Deputy or Deputies, each Treaſurer of ſuch Hoſpital or Infirmary as aforeſaid reſpectively giving his Receipts for the ſame, which Receipts ſhall be allowed as Vouchers to ſuch Vice-Treaſurer or Vice-Treaſurers, his or their Deputy or Deputies, in paſſing his or their Accounts.

And be it further Enacted by the Authority aforeſaid, That the Grand Jury of each of the aforeſaid Counties ſhall, at the firſt Summer Aſſizes after each Infirmary or Hoſpital ſhall be fit for the Reception of Patients, and at every Summer Aſſizes after, preſent a Sum not exceeding One Hundred Pounds, nor leſs than Fifty Pounds, to be raiſed upon each County at large, and paid to the Treaſurer of each reſpective

respective County, to be by him paid over to the Treasurer of each respective Infirmary or Hospital, on his Drafts or Receipts, which Drafts or Receipts shall be allowed as Vouchers to the said respective County-Treasurers in the passing their respective Accounts, and which Money shall be applied by the Governors and Governesses of the respective Infirmaries or Hospitals, in providing Food, Medicines, and other Necessaries for the Patients, in repairing the respective Buildings and the Furniture thereof, and in paying the Rents of the several Infirmaries or Hospitals.

And be it further Enacted by the Authority aforesaid, That the Governors and Governesses of each respective Infirmary (Five of whom shall be a Quorum) shall have Four General Quarterly Meetings in every Year, at such respective Infirmary or Hospital, and shall, at any General Meeting, have Power to elect or remove a Physician or Surgeon, and Servants, and to order and regulate the whole Oeconomy and Expences of such respective Infirmaries or Hospitals, and shall have Power to appoint Standing Committees to inspect the Management thereof, in the

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Intervals between the General Meetings; and in caſe of a Vacancy of a Phyſician or Surgeon, by Death or otherwiſe, to ſummon by Advertiſement in Two of the Dublin News-Papers, General Boards on thoſe particular Occaſions, for the Purpoſe of ſupplying every ſuch Vacancy, at which General Boards Five ſhall be a Quorum.

And be it further Enacted by the Authority aforeſaid, That the Governors and Governeſſes of each reſpective Infirmary or Hoſpital, at their Firſt General Meeting, and from Time to Time thereafter at any General Board, as Occaſion ſhall require, ſhall and are hereby impowered to appoint a Treaſurer of the ſaid Infirmary or Hoſpital, who ſhall receive all annual Subſcriptions and Donations for the Benefit of the ſaid Infirmary or Hoſpital, and ſhall act without Fee or Reward, and be accountable to the Governors and Governeſſes at their Four General Quarterly Meetings: and that the ſaid Governors and Governeſſes ſhall and may ſue and recover from ſuch Treaſurer all Sums by him received for the Benefit of ſuch Infirmary or Hoſpital.

And

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And be it further Enacted by the Authority aforesaid, That no Patient shall be admitted into any of the said Infirmaries, but upon a Written Recommendation from One of the Governors or Governesses of the said Infirmary or Hospital, certifying that such a Person is a proper Object of the said Charity, except in Cases of sudden Accidents, which may require immediate Relief; in which Cases, it shall be discretionary in the Physician or Surgeon of the said Infirmary or Hospital to receive or reject such Patient; and in case it shall happen that more Patients shall be so recommended, than any of the said Infirmaries or Hospitals shall be capable of receiving, then the Physician or Surgeon shall admit them according to the Priority of their several Recommendations, and the Certificates shall be carefully preserved by the respective Physicians and Surgeons, as Vouchers that the Patients were admitted in the Manner aforesaid.

And whereas Two publick Infirmaries or Hospitals have been erected in the City of Cork, one called the North, and the other the South Infirmary, and are

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only ſupported by Voluntary Subſcriptions, which Subſcriptions are not ſufficient for providing Phyſicians or Surgeons, and alſo Food, Medicines, and other Neceſſaries for the poor Patients therein; therefore be it Enacted by the Authority aforeſaid, That the yearly Sum of Fifty Pounds ſhall be paid out of the Publick Money to the Treaſurer of each of the ſaid Infirmaries, and that the ſaid Sum of Fifty Pounds ſhall be paid Half Yearly, by the Vice-Treaſurer or Vice-Treaſurers of this Kingdom, his or their Deputy or Deputies, the Firſt Payment thereof to be made on the Twenty fifth Day of December next, each Treaſurer reſpectively giving his Receipts for the ſame, which Receipts ſhall be allowed as Vouchers to the ſaid Vice-Treaſurer or Vice-Treaſurers of this Kingdom, his or their Deputy or Deputies, in paſſing his or their Accounts.

And be it further Enacted by the Authority aforeſaid, That the Grand Jury of the County of the ſaid City of Cork, at the next Summer Aſſizes after the End of this preſent Seſſion of Parliament, and at every Summer Aſſizes afterwards, ſhall have Power to preſent a Sum not exceeding

ing One Hundred Pounds, nor less than Fifty Pounds, to be raised on the County of the said City, and paid to the Treasurer thereof, to be by him paid over to the Treasurers of the said Infirmaries, to wit, a Sum, not exceeding Fifty Pounds, to the Treasurer of the said North Infirmary, and a Sum, not exceeding Fifty Pounds, to the Treasurer of the said South Infirmary, on their respective Drafts or Receipts, which Drafts or Receipts shall be allowed as Vouchers to the Treasurer of the County of the said City, in the passing of his Accounts.

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And be it Enacted by the Authority aforesaid, That the Money so to be paid by the Vice-Treasurer or Vice-Treasurers of this Kingdom, his or their Deputy or Deputies, to the Treasurer of each of the said Infirmaries, shall be appointed by the Governors and Governesses of the said Infirmaries, in Payment of Physicians or Surgeons for the same, or for such other Purposes, as the Governors and Governesses of the said Infirmaries shall respectively find advisable for the Benefit of the said Infirmaries, and the Patients therein: and that the Money so to be raised by the

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Grand Jury of the County of the ſaid City, and to be paid to the Treaſurer of each of the ſaid Infirmaries, ſhall be applied by the Governors and Governeſſes of the ſame, in providing good Medicines and other Neceſſaries for the Patients, in repairing the ſaid Infirmaries, and the Furniture thereof, and in paying the Rents of the ſaid Infirmaries.

And whereas Three publick Infirmaries or Hoſpitals have been erected in the City of Dublin, one called the Charitable Infirmary on the Inns-Quay, another Mercer's Hoſpital in Saint Stephen-Street, and a third the Hoſpital for Incurables on Lazers-Hill, and are ſuppoſted by voluntary Subſcriptions, which Subſcriptions are not ſufficient for providing Phyſitians or Surgeons, and alſo Food, Medicines, and other Neceſſaries for the poor Patients therein; Therefore be it Enacted by the Authority aforeſaid, That the yearly Sum of One hundred and Fifty Pounds ſhall be paid out of the Publick Money to the Treaſurers of the ſaid Charitable Infirmary, Mercer's Hoſpital, and the Hoſpital for Incurables, to be equally divided between the ſaid Infirmary and Hoſpitals; the

ſaid

ſaid Sum of One hundred and fifty Pounds ſhall be paid half-yearly by the Vice-Treaſurer or Vice-Treaſurers of this Kingdom, his, or their Deputy or Deputies, the firſt Payment thereof, to be made on the Twenty fifth Day of December next, each Treaſurer reſpectively giving his Receipts for the Proportion he ſhall receive of the ſame; which ſaid Receipts ſhall be allowed as Vouchers to the ſaid Vice-Treaſurer or Vice-Treaſurers of this Kingdom, his or their Deputy or Deputies, in paſſing his or their Accounts.

And be it further Enacted by the Authority aforeſaid, That the Grand-Jury of the County of the ſaid City of Dublin, at the next Trinity Term after the End of this preſent Seſſion of Parliament, and at every Trinity Term afterwards, ſhall have Power to preſent a Sum, not exceeding One hundred and fifty Pounds, nor leſs than Seventy five Pounds, to be raiſed on the County of the ſaid City, and paid to the Treaſurer thereof, to be by him paid over to the Treaſurers of the ſaid Infirmary and Hoſpitals, to wit, a Sum not exceeding Fifty Pounds to the Treaſurer of the ſaid Charitable Infirmary, a

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Sum not exceeding Fifty Pounds to the Treasurer of the said Mercer's Hospital; and a Sum not exceeding Fifty Pounds to the Treasurer of the said Hospital for Incurables, on their respective Drafts or Receipts; which Drafts or Receipts shall be allowed as Vouchers to the Treasurer of the County of the said City in the passing of his Accounts.

And be it Enacted by the Authority aforesaid, That the Money so to be paid by the Vice-Treasurer or Vice-Treasurers of this Kingdom, his, or their Deputy or Deputies, to the Treasurers of each of the said Infirmary and Hospitals, shall be applied by the Governors and Governesses of the said Infirmary and Hospitals, in Payment of Physicians and Surgeons for the same, or for such other Purposes as the Governors or Governesses of the said Infirmary or Hospitals shall respectively find advisable, for the Benefit of the said Infirmary or Hospitals, and the Patients therein, and that the Money so to be raised by the Grand-Jury of the County of the said City, and to be paid to the Treasurer of each of the said Infirmary and Hospitals,

shall be applied by the Governors and Governesses of the same, in providing Food, Medicines, and other Necessaries for the Patients; in repairing the said Infirmary and Hospitals, and the Furniture thereof; and in paying the Rents of the said Infirmary and Hospitals.

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AN

ACT

FOR

The better Regulating of Trials in Caſes of High-Treaſon, under the Statute of the Twenty fifth of *Edward* the Third.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

The better Regulating of Trials in Cases of High-Treason, under the Statute of the Twenty fifth of *Edward* the Third.

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CHAP. XXI.

WHEREAS it is highly reasonable and agreeable to the Nature of our excellent Constitution, that Persons prosecuted for High-Treason under the Statute of the Twenty fifth of Edward the Third, should

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be allowed all proper Means for Defence of their Innocence; in Order thereto, and for the better regulating of the Trials of all such Persons, Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of August in this Year One thousand seven hundred and sixty six, all and every Person and Persons who shall be accused and indicted for High-Treason under the said Statute, shall have a True Copy of the whole Indictment delivered to them, or any of them, upon Request, five Days at least before he or they shall be tried for the same, whereby to enable them, or any of them respectively to advise with Council thereon to plead and make their Defence, his or their Attorney or Attornies, Agent or Agents, requiring the same, and paying the Officer for such Copy, Two Shillings and Six Pence, and no more.

And be it further Enacted by the Authority aforesaid, That every such Person so accused and indicted, arraigned or tried for any such Offence as aforesaid, shall be received

received and admitted to make his and their full Defence by Council Learned in the Law, and the Court before whom such Person or Persons shall be tried, or any Judge thereof, shall and is hereby authorized and required immediately upon his or their Request, to assign to such Person or Persons such and so many Council (not exceeding two in Number) as he or they shall desire, to plead for, and assist such Person or Persons in making their Defence; any Law or Usage to the contrary notwithstanding.

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CHAP. XXII.

AN ACT FOR

Continuing and Amending an Act, intituled, *An Act for the better Regulating the Parish-Watches, and amending Highways in this Kingdom; and for preventing the Misapplication of Publick Money; and also for establishing a Regular Watch in the City of* Dublin; *and to prevent Mischief which may happen by Graving in the River* Liffey; and also for Regulating the Watch in the Town of *Drogheda.*

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Most Excellent Majesty. MDCCLXVI.

AN

ACT

FOR

Continuing and Amending an Act, intituled, *An Act for the better regulating the Pariſh-Watches, and amending Highways in this Kingdom, and for preventing the Miſapplication of Publick Money; and alſo for eſtabliſhing a regular Watch in the City of* Dublin, *and to prevent Miſchief which may happen by Graving in the River* Liffey; and alſo for regulating the Watch in the Town of *Drogheda.*

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WHEREAS the Funds appointed for the Support and Maintenance of a Strong and Regular Watch in the City of Dublin, and the Liberties thereof, are inſufficient for that Purpoſe;

 and

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and by reason of the great Concourse of People from all Parts of this Kingdom to this City, a strong and well-regulated Watch is of great Importance for the Preservation of the Persons and Properties of the Inhabitants of the said City, and very necessary to prevent as well the Mischiefs which may happen from Fires and Murders, Burglaries, Robberies, and other Outrages and Disorders: We therefore, Your Majesty's most Dutiful and Loyal Subjects, the Commons of Ireland in Parliament assembled, do most humbly beseech Your Majesty that it shall be Enacted, and Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of May One thousand seven hundred and sixty six, all and every the Houses within the said City of Dublin and Liberties thereof, shall pay, and are hereby charged with, an additional Sum, not exceeding the Sum of Six Pence, nor less than the Sum of Three Pence, for every Pound of the yearly Value of every such House or Houses, over and above the Sum of Six Pence for every Pound of the yearly Value

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Value of every such House or Houses charged by an Act passed in the Tenth Year of his Majesty King George the First, intituled, An Act for continuing and amending an Act, intituled, *An Act for the better regulating the Parish-Watches, and amending the Highways in this Kingdom; and for preventing the Misapplication of Publick Money; and also for establishing a regular Watch in the City of* Dublin, *and to prevent Mischiefs which may happen by Graving Ships in the River* Liffey; which said Act is Revived and Continued by an Act passed in the First Year of his present Majesty, intituled, An Act for Reviving, Continuing, and Amending several Temporary Statutes, and for other Purposes therein mentioned; and that the said additional Charge of Six Pence, and Three Pence, for every Pound of the yearly Value of every such House or Houses, shall be applotted, levied, raised, and accounted for, agreeable to the Regulations in the aforesaid Act of the Tenth of his Majesty King George the First, and shall be paid and applied to the several Uses for which the same is payable, by Virtue of the Act aforesaid, and this present Act.

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And be it further Enacted by the Authority aforeſaid, That from and after the Firſt Day of May One thouſand ſeven hundred and ſixty ſix, it ſhall and may be lawful for the Superviſors or Directors of the Watch, or the uſual Quorum of them in their reſpective Pariſhes, to erect or provide a commodious Room with proper Conveniencies, and a Round-Houſe in every Pariſh contiguous to the Watch-Houſe of the ſaid Pariſh, where the ſame are not already erected or provided, and that it ſhall and may be lawful for the Directors or Superviſors, or the uſual Quorum of them, and they are hereby required ſo to appoint the Places and Stands of the Watchmen in their reſpective Pariſhes, as that they may beſt hold Correſpondence with each other, and with the Watchmen of the adjoining Pariſhes, and in Default of ſuch Appointment, that the Lord Mayor of the ſaid City for the Time being, ſhall appoint and aſcertain the ſaid Stands, and that it ſhall and may be lawful for the ſaid Superviſors or Directors, or the uſual Quorum of them, and they are hereby further required to nominate and appoint one or more Inſpectors, not exceeding three in Number, in their reſpective Pariſhes;

Parishes; which Inspectors shall by Virtue of their Offices be Constables, and be sworn as such into Office, and shall be exempt from Publick Duties, such only excepted as the Supervisors or Directors shall direct, and such Inspectors so appointed, shall visit the Watch-houses in their respective Parishes, and make Returns signed by them respectively, to the Lord Mayor of the said City, and to the Directors or Supervisors of the Watch, of the Condition of the Watch at such Times, and be subject to such Orders and Regulations as the Directors, or the usual Quorum in their respective Parishes shall appoint, and that it shall be lawful for the Directors or Supervisors, in their respective Parishes, to allow a Salary, not exceeding Ten Pounds per Annum to every such Inspector, and to remove such Inspectors as shall appear to neglect their Duty, and immediately appoint others in their Places.

And be it further Enacted by the Authority aforesaid, That the Watchmen, in the Night, shall be under the Inspection and Controul of the said Supervisors or Directors, the said Inspectors and the Constables of the respective Parishes; which said Constables in their Turns, are hereby

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required to set and place their Watch at Eight o'Clock in the Night exactly, and continue their Watch till Seven in the Morning, from the first Day of November to the first Day of February; and from the first Day of February to the first Day of May at Nine o'Clock, and to continue their Watch till Six in the Morning; and from the first Day of May to the first Day of August at Ten o'Clock, and to continue their Watch till Five in the Morning; and from the first Day of August to the first Day of November at Nine o'Clock, and to continue their Watch till Six in the Morning, in every Year.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for the Lord Mayor of the City of Dublin, within the said City; and for the respective Seneschals of the Manors or Liberties of Saint Sepulchres, Thomas-Court, and Donore, in their respective Manors or Liberties, and they are hereby required on every first Day of November, unless the same shall happen on a Sunday, and in such Case on every second Day of November; and on every First Day of May, unless the same shall happen on a Sunday, and in such Case on every Second Day of May, and

and at other Times as often as ſhall to them ſeem convenient or neceſſary, and inſpect and publickly review the Watch of the ſaid City, and Manors or Liberties, and in caſe any ſhall appear unfit for Service from Age, Infirmity, or other Cauſes, they ſhall in the reſpective Juriſdictions diſmiſs ſuch Perſons from ſerving as Watchmen. CHAP. XXII.

And be it further Enacted by the Authority aforeſaid, That from and after the Firſt Day of May One thouſand ſeven hundred and ſixty ſix, no Perſon or Perſons keeping publick Inns, Ale-houſes, or Houſes of Entertainment, or Papiſts, ſhall be qualified to act as Superviſors or Directors of the Watch; and that no Perſon ſhall act as Deputy-Conſtable, who ſhall not after he is choſen by the Church-Wardens and Pariſhioners, or the major Part of them, be recommended by the Superviſors or Directors, or the uſual Quorum, in their reſpective Pariſhes, to the Lord Mayor for the Time being, as a fit Perſon to ſerve in the ſaid Office, and be approved by the ſaid Lord Mayor.

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And be it further Enacted by the Authority aforesaid, That from and after the First Day of May One thousand seven hundred and sixty six, the Church-Wardens of every Parish, in their respective Parishes, shall within Three Months after every Easter Tuesday enter into Office, and collect and pay over the Watch-Money of their respective Parishes, to the Supervisors or Directors of the Watch, which Money so paid over, shall be applied to the Uses in this and the aforesaid former Act contained, and to no other Use whatsoever; and that it shall and may be lawful for the Church-Wardens and Parishioners of every Parish, or the major part thereof, in their respective Parishes, to make such Provision for superannuated Watchmen, or Watchmen maimed in their Service of Watchmen, or therein otherwise rendered incapable of further Service, who shall be recommended by the Supervisors or Directors of the Watch, as shall be suitable to the State of the Fund for supporting a Regular Watch, and the Merit and Circumstances of the Watchmen so recommended.

Provided

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Provided allways, That no Person whatsoever, who shall be dismissed from his Office of Watchman for Neglect, or any other Offence, shall be intitled to the Relief or Provision out of the said Fund.

And be it further Enacted by the Authority aforesaid, That the several Bridges on the River Anna Liffey shall be watched and guarded by Watchmen of the Parishes next adjoyning the said Bridges; which Watchmen shall be so many in Number, and subject to such Regulations, as the Lord Mayor for the Time being shall appoint.

And be it further Enacted by the Authority aforesaid, That if it shall be found that any Surplus shall arise from the Money collected by Virtue of this and the aforesaid Act, over and above what shall be necessary for the supporting and maintaining a regular Watch, and carrying into Execution the Purposes of this, and the aforesaid Act, such surplus Money shall be disposed of for the Use and Benefit of the respective Parish where such Surplus shall arise, by the Church-Wardens and Parishioners of such Parish, or the Major Part thereof, in such Manner

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as they by any Act of Vestry shall direct and appoint.

And whereas the parish Watches in the County of the Town of Drogheda, as settled by an Act passed in the Sixth Year of the Reign of His late Majesty King George the First, intituled, An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom; and for preventing the Misapplication of Publick Money, are found very oppressive to the Inhabitants in the said County, living without the Gates and Walls of the said Town; Be it Enacted by the Authority aforesaid, That from the last Day of the several Adjournments of next July Sessions for said Town and County, the Inhabitants within the Walls of said Town, and the Owners and Occupiers of the several Yards, Warehouses and Cellars in the said Town, shall pay yearly for every House inhabited; and for every Yard and every Warehouse or Cellar occupied, the Sum of Four Pence for every Pound of the yearly Value of said House, Warehouse, Yard or Cellar, according to the Rent such House, Yard, Warehouse or Cellar might reasonably set for to a solvent Tenant, which shall be in Lieu of all

all Taxes or Duties heretofore payable or demandable for Watching or Watch-Money, by or from the Inhabitants within the said Walls, the said Sum of four Pence to be raised, paid, and accounted for, as is directed, as to the City of Dublin, by an Act of Parliament passed in this Kingdom in the Tenth Year of the Reign of his late Majesty King George the First, intituled, An Act for continuing and amending An Act, intituled, *An Act for the better regulating the Parish Watches, and amending the Highways in this Kingdom, and for preventing the Misapplication of Publick Money; and also for establishing a regular Watch in the City of* Dublin; *and to prevent Mischiefs which may happen by graving Ships in the River Liffey*; the said yearly Value of all such Houses, Yards, Warehouses and Cellars, to be settled by the Justices of the Peace of the said County and Town of Drogheda at every July Sessions, or at some Adjournment thereof to be held in open Court, which Court of Sessions shall have the same Powers in every Respect, that the Lord Mayor and the several Vestries in the said City of Dublin have by Virtue of said Act, and in every Respect to regulate and appoint the Management thereof.

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And be it further Enacted by the Authority aforeſaid, That this Act ſhall be in Force from the Firſt Day of May One thouſand ſeven hundred and ſixty ſix.

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AN

ACT

FOR

The RELIEF of

INSOLVENT DEBTORS.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

The Relief of Insolvent Debtors.

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WHEREAS several Persons, whose Names are mentioned in a List hereunto annexed, are now confined for Debt in several Gaols of this Kingdom, and were in actual Custody on the First Day of February last:

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last: And whereas it is reasonable to make some Provision for the Relief of such of them as shall be willing to satisfy their Creditors to the utmost of their Power; for which Purposes, be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of June One thousand seven hundred and sixty six, it shall and may be lawful to and for all or any of the Prisoners in the said List mentioned, before the End of Trinity Term, which shall be in the Year of our Lord One thousand seven hundred and sixty seven, to exhibit a Petition to any Court of Law from whence the Process issued, upon which such Prisoners were or shall be respectively confined in Execution, or to the Court into which any such Prisoners have been or shall be removed by Habeas Corpus, setting forth a just and true Account of all the real and personal Estate of which he, she, or they, so petitioning, or any Person or Persons in Trust for him, her, or them, is, are, or shall be intitled to, at the Time of his, her, or their so petitioning, and of all Incumbrances and Charges (if any there be) affecting

fecting the ſame; and alſo a juſt and true Account of all the real and perſonal Eſtate which he, ſhe, or they, ſo petitioning, or any Perſon or Perſons in Truſt for him, her, or them, or for his, her, or their Uſe, was or were intereſted in, or intitled unto, at the Time of his, her, or their firſt Impriſonment, in the Action on which ſuch Perſon or Perſons is or are in Cuſtody, in Poſſeſſion, Reverſion, Remainder, or Expectancy, to the beſt of the Belief of every ſuch Priſoner or Priſoners, and ſo far as his, her, or their reſpective Knowledge extends concerning the ſame; and likewiſe a juſt and true Account of all Securities wherein any Part of the Eſtates of any ſuch Priſoner or Priſoners conſiſts, of all the Deeds, Evidences, Writings, Books, Bonds, Notes, and Papers concerning the ſame, or relating thereto, and in whoſe Hands the ſame reſpectively are, and the Names and Places of Abode of the Witneſſes to all ſuch Securities, Bonds, and Notes, and where they are to be reſpectively met with, ſo far as his, her, or their Knowledge extends concerning the ſame; and before any ſuch Petition ſhall be received by any ſuch Court, every ſuch Petitioner or Petitioners ſhall cauſe to be given or left unto, or for all and every the Cre-

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ditoꝛ oꝛ Creditoꝛs, at whoſe Suit any ſuch Priſoner oꝛ Priſoners ſtand charged, oꝛ his, her, oꝛ their Executoꝛs oꝛ Adminiſtratoꝛs, and at his, her, oꝛ their uſual Place of Abode, oꝛ to oꝛ foꝛ his, her, oꝛ their Attoꝛney oꝛ Agent laſt employed in any ſuch Action oꝛ Actions, in caſe any ſuch Creditoꝛ oꝛ Creditoꝛs, his, her, oꝛ their Executoꝛs oꝛ Adminiſtratoꝛs, cannot be met with, but not otherwiſe, fourteen Days at leaſt befoꝛe any ſuch Petition ſhall be pꝛeſented and received, a Notice in Writing, ſigned with the pꝛoper Name oꝛ Mark of every ſuch Priſoner oꝛ Priſoners, impoꝛting therein, that ſuch Priſoner oꝛ Priſoners doth, oꝛ do intend to petition the Court from whence the Pꝛoceſs iſſued, upon which he, ſhe, oꝛ they ſtand charged in Execution, oꝛ into the Pꝛiſon to which any ſuch Pꝛiſoner has been moved by Habeas Corpus, oꝛ ſtands charged in Execution; and alſo ſetting foꝛth in every ſuch Notice, a true Copy of the Account oꝛ Schedule, including the whole real and perſonal Eſtate of the Perſon oꝛ Perſons ſo deſigning to petition, which he, ſhe, oꝛ they doth, oꝛ do intend to deliver into any ſuch Court, except the neceſſary Wearing-Apparel and Bedding of ſuch Pꝛiſoner oꝛ Pꝛiſoners, and his, her, oꝛ their Family,

and

and the Tools or Instruments of his, her, or their Calling or Trade, not exceeding Ten Pounds in Value in the whole; and an Affidavit of the due Service of every such Notice shall be delivered with every such Petition, at the Time of presenting thereof, and openly read in the Court to which any such Petition shall be addressed; and if such Court shall thereupon be satisfied of the Regularity of every such Notice, such Petition shall be received, and such Court shall thereupon, by Order or Rule, cause the Prisoner or Prisoners so petitioning, to be brought up to such Court, on some certain Day, in such Order specified; and the Creditor or Creditors, at whose Suit any such Prisoner or Prisoners stand charged, his, her, or their Executors or Administrators, to be summoned to appear personally, or by his, her, or their Attorney, in such Court, at some certain Day, to be specified in such Order for that Purpose; and if any Creditor or Creditors of any such Prisoner or Prisoners who shall be so summoned, his, her, or their Executors or Administrators shall appear in Person, or by his, her, or their Attorney; or if any such Creditor or Creditors, his, her, or their Executors or Administrators, shall refuse or neglect to

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appear in Perſon, or by his, her, or their Attorney, then, upon Affidavit of the due Service of ſuch Order or Rule on him, her, or them, or his, her, or their Attorney, if any ſuch Creditor or Creditors, his, her, or their Executors or Adminiſtrators, cannot be met with, ſuch Court ſhall in a ſummary Way examine into the Matter of ſuch Petition, and hear what can or ſhall be alledged on either Side, for or againſt the Diſcharge of any ſuch Priſoner or Priſoners who ſhall ſo petition, and upon ſuch Examination, every ſuch Court is hereby required to adminiſter to the Priſoner or Priſoners reſpectively, who ſhall ſo petition, an Oath; or if the Perſon be of the People called Quakers, an Affirmation, to the Effect following (that is to ſay)

I *A. B.* do ſwear, in the Preſence of Almighty God, (if a *Quaker*, I do affirm) that the Account by me ſet forth in my Petition preſented to this honourable Court, doth contain a full and true Account of all the real and perſonal Eſtate, Debts, Credits, and Effects whatſoever, which I, or any in truſt for me at the Time of my firſt Impriſonment in this Action, or at any Time ſince, had or was in any Reſpect intitled to, in Poſſeſſion, Reverſion or Remainder, except the Wearing Apparel and Bedding of, or

for

for me and my Family, and the Tools or Inſtruments of my Trade or Calling, not exceeding Ten Pounds in Value in the Whole; and alſo an Account how much of my real and perſonal Eſtate hath ſince been diſpoſed of, releaſed, or diſcharged, and how, and to whom, and on what Conſideration, and for what Purpoſe, and how much thereof I, or any Perſon or Perſons in truſt for me have, or at the Time of preſenting my ſaid Petition to this honourable Court, had, or which I am, or any Perſon in Truſt for me, or for my Uſe, is any Ways intereſted in, or intitled to, in Poſſeſſion, Reverſion, Remainder, or Expectancy; and alſo a true Account of all Deeds, Writings, Books, Papers, Securities, Bonds and Notes relating thereto, and where the ſame reſpectively now are, and in whoſe Hands, to the beſt of my Knowledge and Belief, and what Charges are now affecting the real Eſtate I am now ſeized of, or intitled to (if any ſuch Priſoner ſhall be then ſeized of any real Eſtate) and that I have not at any Time before, or ſince my Impriſonment, directly or indirectly ſold, leaſed, aſſigned, mortgaged, pawned, or otherwiſe diſpoſed of, or made over in Truſt for myſelf, or otherwiſe than is mentioned in ſaid Account, any Part of my real or perſonal Eſtate, whereby to have or accept any Benefit, Advantage, or Profit to myſelf or my Family, or with any View, Deſign,

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sign, or Intent to deceive, injure, or defraud any of my Creditors. *So help me God.*

And in Case any such Prisoner or Prisoners shall, in open Court, take the said Oath, such Court may then immediately order the real and personal Estate, contained in such Account, or so much thereof as may be sufficient to satisfy the Debt or Debts, wherewith any such Prisoner or Prisoners stand charged in Execution, and the Fees due to the Ward Marshal, or Keeper of the Gaol or Prison, from which any such Prisoner was brought, to be, by a short Indorsement on the Back of such Petition, and to be signed by the Prisoner, assigned and conveyed to the Creditor or Creditors, who has or shall have charged any such Prisoner in Execution, (if more than one) his, her, or their Heirs, Executors, Administrators or Assigns, for the Benefit of him, her, or them, subject nevertheless to all prior Incumbrances affecting the same; and the Estate, Interest, and Property of such real and personal Estate, which shall belong to any such Prisoner, shall by such Assignment and Conveyance, be vested in the Person or Persons to whom such Assignment or Conveyance shall be made, according to the

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Eſtate and Intereſt ſuch Priſoner or Priſoners had therein reſpectively, and the Creditor or Creditors to whom any ſuch Aſſignment or Conveyance ſhall be made, ſhall and may take Poſſeſſion of, and ſue in his, her, or their Name or Names, for the Recovery thereof, in like Manner as ſuch Priſoner or Priſoners might have done; and no Releaſe of any ſuch Priſoner or Priſoners, or any Truſtee for him, her, or them, ſubſequent to ſuch Aſſignment or Conveyance, ſhall be pleadable, or be allowed of in Bar of any Action or Suit which ſhall be commenced by any ſuch Aſſignee or Aſſignees for the Recovery of any part of the real or perſonal Eſtate of ſuch Priſoner or Priſoners, and upon every ſuch Aſſignment and Conveyance being executed by any ſuch Priſoner or Priſoners, he, ſhe, or they ſhall be diſcharged out of Cuſtody by Rule or Order of ſuch Court, and ſuch Rule or Order being produced to, and a Copy thereof being left with any ſuch Sheriff, Gaoler, or Keeper of any Priſon as aforeſaid, ſhall be ſufficient Warrant to him to diſcharge every ſuch Priſoner or Priſoners, if charged in Execution, or detained for the Cauſes mentioned in his, her, or their reſpective Petition, and no other; and every ſuch

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Sheriff, Gaoler, or Keeper, is hereby required, on having ſuch Order produced to him, and a Copy thereof left with him, to diſcharge and ſet at Liberty forthwith every ſuch Priſoner or Priſoners, who ſhall be ordered as aforeſaid to be diſcharged, without taking any Fee, or detaining him, her, or them, in Reſpect of any Demand of any ſuch Sheriff, Gaoler, or Keeper, for or in Reſpect of Chamber-Rent or Lodging, or otherwiſe, or for any Fees; and no ſuch Sheriff, Gaoler, or Keeper, ſhall afterwards be liable in any Action of Eſcape, or other Suit or Information on that Account, or for what he ſhall do in purſuance hereof, and he may plead the General Iſſue, and give the ſpecial Matter in Evidence; and the Perſon or Perſons to whom the Eſtate and Effects of any ſuch Priſoner or Priſoners ſhall be aſſigned and conveyed, ſhall, with all convenient Speed, ſell and diſpoſe of the ſame, and ſhall divide the neat Produce thereof amongſt the Creditors of every ſuch Priſoner or Priſoners (if more than one) who ſhall have charged any ſuch Priſoner in Execution, before the Time of ſuch Priſoner's Petition to be diſcharged, ſhall have been preſented (the Marſhal, Gaoler, or Keeper to be conſidered as a Creditor for his

his Fees) rateably, and in Proportion to their respective Debts, and shall render the Overplus (if any there be) to such Prisoner or Prisoners; but in case the Person or Persons at whose Suit any such Prisoner or Prisoners stood charged in Execution, shall not be satisfied with the Truth of any such Prisoner's Oath, and shall either personally, or by Attorney, desire further Time to inform him, her, or themselves of the Matters contained therein, such Court may remand any such Prisoner or Prisoners, and direct him, her, or them, and such Creditor or Creditors to appear, either in Person, or by Attorney, on some other Day to be appointed by such Court, some Time at farthest, within the Term next following the Time of such Examination, but sooner, if such Court shall so think fit; and all Objections which shall be made as to the Insufficiency in Point of Form against any Prisoner's Schedule of his Estate and Effects, shall be only made the first Time any such Prisoner shall be brought up; and if, at such Second Day, the Creditor or Creditors shall make Default in appearing, or shall be unable to discover any Estate or Effects of the Prisoners, omitted in the Account set forth in such his, her, or their Petition, then, and

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in ſuch Caſe, ſuch Court ſhall, by Rule or Order thereof, immediately cauſe the ſaid Priſoner or Priſoners to be diſcharged upon his, her, or their executing ſuch Aſſignment and Conveyance as aforeſaid; and if any Priſoner, who ſhall petition to be diſcharged as aforeſaid, ſhall refuſe to take the Oath or Affirmation, or taking the ſame, ſhall afterwards be detected before ſuch Court, of Falſity therein, or ſhall refuſe to execute ſuch Aſſignment and Conveyance as aforeſaid, he, ſhe, or they ſhall be preſently remanded and continue in Execution.

And be it Enacted by the Authority aforeſaid, That from and after the Firſt Day of November One thouſand ſeven hundred and ſixty ſix, ſuch of the ſaid Priſoners as are charged in Execution in any County or other Gaol, above the Space of Twenty Miles diſtant from the City of Dublin, may at any Time before the Firſt Day of May One thouſand ſeven hundred and ſixty ſeven, prefer a Petition, being made to the Court from whence any ſuch Execution iſſued, in like Form and Manner as the Petitions herein before mentioned, and an Affidavit to the Purport as Affidavits are herein before directed to be made,

made, being made and delivered into such Court with such Petition, such Court on being satisfied of the Truth of such Affidavit, may and is required to make a Rule or Order to cause the Prisoner or Prisoners so petitioning, to be brought to the next Assizes which shall be holden for the County or Place where he, she, or they are imprisoned, and the Creditor or Creditors, his, her, or their Executors or Administrators, at whose Suit any such Prisoner or Prisoners is, or shall be charged in Execution, shall, by Rule or Order of such Court, be summoned to appear at the said next Assizes, if such Creditor or Creditors can be met with, and if not, then the Attorney last employed for such Creditor or Creditors shall be summoned to appear there, and a Copy of every such Rule or Order shall be served on every such Creditor or Creditors, or left at his, her, or their Dwelling-House, or usual Place of Abode, or with his, her, or their Attorney last employed as aforesaid, Fourteen Days at least before the holding of any such Assizes, and on Affidavit of such Service thereof being laid before such Judge or Judges of Assize; such Judge or Judges of Assize respectively, on being satisfied of the Truth of such Affidavit, shall and may appoint a Time for

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for hearing the Matter upon every such Petition, on some certain Day, and upon the Appearance of such Creditor or Creditors, or in Default of Appearance in Person, or by Attorney, then, on Proof of his, her, or their being duly served with the Notice herein before required to be given, and also with a Copy of the Account of the real and personal Estate of the Prisoner or Prisoners comprized in his, her, or their Petition, desiring to be discharged, and also with a Copy of the Rule of such Court, for his, her, or their Appearance at such Assizes as herein before is directed, such Judge or Judges of Assize shall there in a summary Way examine into the Matter of every such Petition, and hear what can or shall be alledged on either Side, for or against the Discharge of such Prisoner or Prisoners; and upon every such Examination, such Judge and Judges of Assize is and are hereby impowered and required respectively to administer, or tender to every such Prisoner, the same Oath as herein before is directed, and to make such Order in the Premisses as to him or them shall seem meet, and to proceed in the same Manner concerning the Discharge of any such Person or Persons, and to give the same Judgment, Relief and Directions re-

lating

lating thereto, as any Court out of which any Process issued against any Prisoner or Prisoners is herein before impowered and directed to do; and every such Order shall be as valid and effectual, as if the same had been made in the Court out of which the Process issued, upon which any such Prisoner was charged in Execution; and the same shall be made a Record of the Proceedings at such Assizes, and a Copy thereof shall be from thence transmitted to the Court from whence the Execution against such Prisoner or Prisoners discharged issued, signed by the Judge or Judges of Assize, to be a Record of the said Court, and to be kept as such amongst the other Records thereof. CHAP. XXIII.

And be it Enacted by the Authority aforesaid, That from and after the First Day of May One thousand seven hundred and sixty six, such of the said Prisoners as are charged in Execution upon Decrees obtained before Judges of Assize upon Civil Bills, may, at any Time before the First Day of November One thousand seven hundred and sixty seven, prefer a Petition to the Judge or Judges of Assize, which shall be held for the County or Place where he, she, or they are im-

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prisoned, in like Form and Manner, as the Petitions herein before mentioned: Provided such Prisoner or Prisoners shall cause to be given, or left to or for all and every the Creditor or Creditors at whose Suit he, she, or they, stand charged in Execution as aforesaid, or his, her, or their Executors or Administrators, and at his, her, or their usual Place of Abode, Twenty Days at least before the Assizes, a Notice in Writing, signed with the proper Name or Mark of every such Prisoner or Prisoners, importing, that such Prisoner or Prisoners doth, or do intend, to petition the Court, at the next Assizes, to be discharged, and requiring him, her, or them to appear at the next Assizes, and also a true Copy of the said Petition and Account; and such Judge and Judges of Assize, upon the Appearance of such Creditor or Creditors, either in Person or by Attorney, or in Default thereof, then, on Proof of his, her, or their being duly served with such Notice, and a Copy of such Petition and Account, as herein before is directed, shall, in a summary Way, examine into the Matter of every such Petition, and hear what can or shall be alledged on either Side, for or against the Discharge of such Prisoner or Prisoners; and,

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and, upon every such Examination, such Judge and Judges of Assize is and are hereby impowered and required respectively, to administer or tender to every such Prisoner the same Oath as is herein before directed, and to make such Order in the Premisses, as to him or them shall seem meet; and to proceed in the same Manner, concerning the Discharge of any such Prisoner or Prisoners; and to give the same Judgment, Relief, and Directions relating thereto, as any Court out of which any Process issued against any Prisoner or Prisoners, is herein before impowered and directed to do.

And be it Enacted by the Authority aforesaid, That from and after the Time aforesaid, it shall and may be lawful to and for the Recorder of the City of Dublin, at any Time before the First Day of November One thousand seven hundred and sixty seven, to receive the Petitions of such of the said Prisoners, as are charged in Execution in the Marshalsea of the City of Dublin, upon Decrees, or otherwise, and to examine into the Matters of the same, and to administer the same Oath, and to proceed in the same Manner concerning the Discharge of such Prisoners re-

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ſpectively, and to give the ſame Judgment, Relief, and Directions relating thereto, as any Court out of which any Proceſs iſſued againſt any Priſoner or Priſoners, is herein before impowered and directed to do.

Provided allways, That the Diſcharge of any Perſon by Virtue hereof, ſhall not acquit any other Perſon from ſuch Debt, Sum, or Sums of Money, or any Part thereof, but that all others ſhall be anſwerable for the ſame, in ſuch Manner as they were before the paſſing hereof.

And be it Enacted by the Authority aforeſaid, That if any ſuch Priſoner ſhall deliver in any falſe or untrue Account of his or her Eſtate or Effects, or ſhall deſignedly conceal, and not inſert in the Account he or ſhe ſhall deliver in and Subſcribe as aforeſaid, any Books, Papers, Securities, or Writings, relating to his or her Eſtate and Effects, with Intent to defraud his or her Creditor or Creditors, and ſhall be thereof convicted on an Indictment, he or ſhe ſo offending, ſhall be adjudged a Felon, and ſuffer as ſuch without Benefit of Clergy.

Provided

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Provided allways, and be it Enacted by the Authority aforesaid, That if the Estate and Effects of any Prisoner or Prisoners, which shall be so assigned and conveyed, shall not extend to satisfy the whole Debt, due to the Creditors as aforesaid, of the Prisoner who shall be so discharged, and the Fees and Chamber-Rent due to the Warden, Marshal, or Gaoler, then such Warden, Marshal, or Gaoler, shall only receive a proportionable Dividend from such Prisoner's Estate, in respect of such Fees and Chamber-Rent, pro Rata, with the other Creditors, as aforesaid, of such Prisoner or Prisoners.

Provided likewise, and be it Enacted by the Authority aforesaid, That the Prisoner or Prisoners, who shall be so discharged by Virtue hereof, shall never after be arrested for the same Debt or Debts, nor shall any Action of Debt be brought against him, her, or them, on any such Judgment or Decree; but notwithstanding any Discharge obtained by Virtue hereof for the Person of any such Prisoner or Prisoners, the Judgment or Decree obtained against every such Prisoner or Prisoners, shall continue and remain in Force; and Execution may

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at any Time be taken out thereon, againſt the real or perſonal Eſtate of any ſuch Priſoner or Priſoners, as if he, ſhe, or they had never been before arreſted, taken in Execution, and releaſed out of Priſon by Virtue hereof.

Provided always, That in all Caſes, where mutual Credit ſhall have been given between ſuch Priſoner or Priſoners, and any other Perſon or Perſons, Bodies Politick or Corporate, before the Delivery of any Schedule or Inventory of the Eſtate and Effects of ſuch Priſoner or Priſoners, then, and in every ſuch Caſe, nothing more ſhall be deemed to be veſted by any aſſignment which ſhall be made in purſuance hereof, as to the Eſtate or Effects of ſuch Priſoner or Priſoners, than what ſhall appear to be due to him, her, or them reſpectively upon the Balance of Accounts when truly ſtated.

And be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid reſpective Courts, who ſhall diſcharge ſuch Priſoner or Priſoners, in purſuance hereof, on the Petition of any Creditor of ſuch Priſoner or Priſoners, who had charged him, her, or them in Execution, or of ſuch Priſoner or Priſoners, to any

such Court, complaining of any Insufficiency, Fraud, Mismanagement, or other Misbehaviour of any of the Creditors of such Prisoner or Prisoners, to whom the Estate and Effects of such Prisoner or Prisoners shall have been assigned in pursuance hereof, to order the respective Parties concerned to attend such Court, on the Matter of every such Petition, at some certain Time in such Order to be mentioned; and every such Court, on hearing the Party concerned therein, is hereby authorized to make such Order, and give such Directions in the Premisses, for the prudent, just, or equitable Management or Distribution of the said Estate and Effects, for the Benefit of the respective Creditors as aforesaid, of such Prisoner or Prisoners, as such Court shall think fit.

And whereas several Persons, besides those who are in actual Confinement, have been, by Misfortunes, rendered unable to satisfy the Whole of their respective Debts; and it is reasonable to make some Provision for the Relief of such of them, as are willing to do their utmost for the Satisfaction of their Creditors; Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for all and

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every the Persons whose Names are mentioned in the annexed Schedule, Number Two, at any Time after the First Day of May One thousand seven hundred and sixty seven, to exhibit a Petition or Petitions to his Majesty's Court of King's Bench, or Court of Common Pleas in Dublin, setting forth the several Matters hereby directed to be set forth in the Petitions of Persons who there in actual Custody on the first Day of February last; and the Court, to which such Petitions shall be respectively preferred, shall receive the same, and administer to the Person or Persons who shall so petition, an Oath; or if the Person be of the People called Quakers, an Affirmation, to the following Effect.

I *A.B.* do swear, in the Presence of Almighty God (if a *Quaker*, I do affirm) that the Account by me set forth in my Petition presented to this honourable Court, doth contain a full and true account of all the real and personal Estate, Debts, Credits, and Effects whatsoever, which I, or any in Trust for me, am in any Respect intitled to, in Possession, Reversion, or Remainder, except the wearing Apparel and Bedding of, or for me and my Family, and the Tools or Instruments of my Trade or Calling, not exceeding Ten Pounds in Value in the

the whole; and also a true Account of all Deeds, Writings, Books, Papers, Securities, Bonds, and Notes relating thereto, and where the same respectively now are, and in whose Hands, to the best of my Knowledge, Remembrance and Belief, and what Charges are now affecting the real Estate I am now seized of, or intitled to, (if any such Prisoner shall be then seized of any real Estate) and that I have not at any Time before or since my Petition was preferred to the House of Commons (praying the Benefit of the Act for the Relief of Insolvent Debtors) directly or indirectly sold, lessened, assigned, mortgaged, pawned, or otherwise disposed of, or made over in Trust for myself or otherwise, any Part of my real and personal Estate, whereby to have or accept any Benefit, Advantage, or Profit to myself or my Family, or with any View, Design, or Intent to deceive, injure, or defraud any of my Creditors.

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So help me God.

And which Oath or Affirmation the Judges of either of the said Courts are hereby impowered and required to administer and the said Court may thereupon make such Order for the Assignment and Conveyance of the real and personal Estate of such of the

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the persons whose Names are mentioned in the said Schedule, as shall so petition, as is hereby directed with respect to the real and personal Estates of Prisoners in actual Custody, and upon the Execution of every such Assignment and Conveyance, by the person or persons who shall so petition, the said Courts shall make a Rule or Rules for the Discharge of the person or persons so petitioning, as if such person or persons were at the Time of making such Rule or Rules in actual Custody of the Marshal of the Four Courts in the City of Dublin, and the respective Estate and Effects of the said person or persons shall be subject to the Terms and Provisions hereby imposed on the Estates and Effects of persons in actual Custody, and the said persons shall be intitled to the like Benefit and Relief, and subject to the like Punishment in Case of delivering a false and untrue Account of their Estates and Effects, or the concealing the same, as is hereby directed with Respect to Prisoners in actual Custody, on the First Day of February One thousand seven hundred and sixty six.

Provided

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Provided also, That all Persons who have conveyed, imbezzled, received, or converted to their own Use any Monies, Goods, Wares, or Merchandizes of Persons who have employed or entrusted them, shall be excluded from receiving any Benefit or Advantage by this Act, though named in one of the annexed Schedules.

SCHEDULE No. I.

A LIST of the Debtors confined in the several Gaols and Marshalseas in *Ireland*.

(*DUBLIN.*)

Persons confined in the Fourt Courts Marshalsea for more than fifty Pounds.

James Barry,
John Brennan,
Patrick Butler,
Patrick Carrolan,
John Carroll,
William Coote,
Peter Coffee,
Patrick Casey,
Daniel Daly,
John Peter Dowling,
Edmond French,
Andrew Forde,
Patrick Kiernan,
Daniel Kelly,
Alexander McKitrick,
David Maitland,
Thomas Middleton,
George Peters,
Andrew Stewart,
Letitia Wilders,
Blaney Winslow,
John Archbold,

Persons

Persons confined for Sums not exceeding Fifty Pounds.

Bernard Burke,	Richard Lee,
John Craven,	Alice Metcalf,
Daniel Comerford,	Patrick Morgan,
Morgan Clarke,	James O Farrell,
James Eden,	James Ryan,
John Eden,	Walter Price
William Hickey,	Mary Smith
Daniel Haly,	Richard Tuke
Matthew Hannan,	Matthew Tierny
Patrick Kerrigan,	James Tulte
Joseph Kerby,	Thomas Tatlock
Thomas Kearfoot,	Matthew Ward

Prisoners at large of the Four Court **Marshallea, not exceeding Fifty Pounds.**

Matthew Murphy	Owen Reilly
Thomas Roe	Edward Griffin
John Smith	Michael Keary
William Bigger	

Dublin **City Marshallea, for more than Fifty Pounds.**

Edward Cusack	John Carty
Elizabeth Turner	Cecily Stack
George Fletcher	Peter Kenny.

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For Sums not exceeding Fifty Pounds.

James White
Margaret Gwin
Edmond Sheehy
Michael O'Brien
John Fitz Gerald
Denis Sheridan
Daniel Huſham
Daniel Kean
David Kelly
Mary Bourke
John Bourke
Matthew Delany
Martin Balfour
Thomas McDaniel
Michael Kenny
Lieut. Thomas Parks
Malachy Coghlan
Patrick Moony
Joſeph Barton
Oliver Fitz Gerald
Chriſtopher Mc Evoy
Jane Hill
Pierce Cantwell
Walter Hart
Edward Gantly
Garret Mc Manus
James Bracken
John Dobbin
Emanuel Begly
Thomas O'Brien
John Roe
Hugh Finnigan
George Richardſon
John Dargill
Chriſtopher Quinn
William Gurly
Walter Roch
John Smith
Stephen Smith
John Steel
Maurice Daly
Patrick McAnally
John Meehan
Henry Garland
Iſaac Bedford
Elizabeth Dillon
Timothy Lynch
James Dunn
John Doyle
Edward Kelly
Charles O Brien
Daniel Shaw
Francis Barber
Ann Bradley
Lewis Chaboteau
John Deſpard
John Lacy
John Barrett
Patrick Mc Guire
Patrick

Patrick Power
Owen Dunn
Redmond Fitzſimmons
Joſeph Hodgings
Thomas Dunn
Henry Hines
John Mc Gannon
William Brookes
Moſes Lundy
Richard Cullen
John Allen
Mary Daly,
Catherine Wood
Andrew Mc Mahon
Philip Lynch
Henry Walſh
John Dennis
William Norton
William Mc Laughlin
Laurence Ralph
William Downey
Catherine Power
Mary Hudſon
John Heany
Chriſtopher Ruſſell
John Grant
Barn Mc Laughlin
Letitia French
John Cokle
George Gill
Michael Bell
William Browne
George Graige
Charles Phillips
Thomas Garvey
Marke Sheehy
Andrew Devin
John Connor
Owen Devan
Daniel Mc Cullogh
Neil O Neil
William Mc Cartan
Andrew Cotter
Patrick Blighe
Terence Reily
Mark Feely
Michael Carty
William Byrne
Hugh Dogherty
Philip Hagan
Patrick Croſbie
Arthur Kearny
Philip Smith
Simon Murray
Henry Killan
John Kerman
Anthony Mathews
Philip Smith
John Ferguſon
Archibald Deviſon
James Cullen

 Thomas

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Thomas Healy
Owen Leonard
Henry Mc Laughlin
John Kelly
William Connolly
Barnaby Tiernan
Thomas Shelly
John Healy
James Burne
Arthur Gillſhenan
Mary Woffenton
John Godfrey
Elizabeth Bulhell
Michael Brennan
Felix Mc Philip
Matthew Daly
David Mannix
Arthur Short
John Morriſs
John Conolly
John Bourke
Chriſtopher Coony
John Kelly
Catherine Browne
Elinor Sheehy
Ann Conolly
Elinor Sheehy
Oliver Conway
Clare Darcy
Judith Reilly
James Kiernan
Michael Brenan
Oliver Fitz Gerald
George Beſſiek
Bartholomew Devany

Liberty of St. Sepulchre's **Marſhallea.**

(For Sums under Fifty Pounds.)

John Yarr
Mary Ward
John Mulholland

Liberty of Thomas Court **and** Donore **Marſhallea.**

For upwards of Fifty Pounds.

John Flinn

For

For Sums not exceeding Fifty Pounds.

Margaret Mc Donald
James Engliſh
Elizabeth Fullom
Robert Wallace
Michael Mc Laughlin
Mathias Mc Dermot
Edward Cullen
Patrick Mc Gragh

County Dublin. Kilmainham **Marſhallea.**

For upwards of Fifty Pounds.

Nathaniel Aſhworth

Not exceeding Fifty Pounds.

Nehemiah Conſtant

County Antrim. Carrickfergus **Gaol.**

For upwards of Fifty Pounds.

George Blizard
Anthony Ferguſon

For Sums not exceeding Fifty Pounds.

Bryan Mc Mahoney
Henry Mulhollon
William Woodburne
John O Boyle
Neal Mc Lornan
George Hunter
Alexander Weir
Alias Martin

Belfaſt **Marſhallea.**

Robert Tanny Hill

County Armagh. Armagh **Gaol.**

For Sums not exceeding Fifty Pounds.

Thomas Kain.

For upwards of Fifty Pounds.

James Gaddis.

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County of Corke **Gaol.**

For uplwards of Fifty Pounds.

James Collins — Daniel Crowley

For Sums not exceeding Fifty Pounds.

Edmond Murphy — John Keef
Charles Connell — John Hartned

City Corke **Marſhallea.**

For Sums not exceeding Fifty Pounds.

Honor Kealohear, **other-wiſe** Began — James Stackapole

City Corke **Gaol.**

For uplwards of Fifty Pounds.

Iſaac Spratt — Dennis Healy
Matthew Holden — James Punce
John Carroll — John Mc Carthy
Margaret Fowler — Daniel Linihan

For Sums not exceeding Fifty Pounds.

Henry Neptune — Timothy Quirk
Bartholomew Sullivan — Lawrence Dowley
John Sullivan — John Power
William Fencer — Timothy Meenihane
Michael Crowley — Moore Hardaway
Edmond Mulloney — William Barry
John Lyon — Dennis Maley
Patrick Callaghan — Darby Wholahane
James Walſh — John Goggin
Hugh Cubberſton — Tim Horragan

Tim

Tim Coonihane — Cornelius Desmond
Tim Callaghan — Florence Carthy
William Wilkinson — William Ellis

County Carlow **Gaol.**
Sums not exceeding Fifty Pounds.

Michal Quin — Thomas Lynch
Tobias Lewis

County Cavan **Gaol.**
Sums not exceeding Fifty Pounds.

William Breedy — Fitz Herbert Dermott
Thomas Mc. Gennis

County Clare. Ennis **Gaol.**
For upwards of Fifty Pounds.

Daniel o'Brien

For Sums not exceeding Fifty Pounds.

David Mc Mahon — William Mc Closkey

County of the Town of Carrickfergus **Gaol.**
Not exceeding Fifty Pounds.

George Mc Kinney

County Donegal. Lifford **Gaol.**
Not exceeding Fifty Pounds.

Thomas Hodkiss — John Long
James Magee — James Mc Gorragil
Thomas Ferran — James Cavere

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County Down. Downpatrick **Gaol.**

For upwards of Fifty Pounds.

William Graige, Rowland Hannot.

For Sums not exceeding Fifty Pounds.

James Garvey
Peter Smith
Joſeph Tinſley
Thomas Frickelton
George Craige
Margaret Parks
James Dorrean
John Neale
John Maguire
Winifred Kelly
John Ferguſon
Michael Mc Donnell
Judith Geran
John Fitz-Gerald
John Pincheon
David Mc Donnell
Edmond Hayes

County Longford **Gaol and Marſhallea.**

For upwards of Fifty Pounds.

John O'Hara

For Sums not exceeding Fifty Pounds.

Robert Roſs
Chriſtopher Cahil
John Hoey

County Monaghan **Gaol.**

For Sums not exceeding Fifty Pounds.

Phelimy Mc Murrer
Patrick Mc Cormuck
Neal Mc Kenna
George Robinſon
Jerry Duffy
Philip Ronaghan
William Hughes

County

County Mayo **Gaol and Marſhallea.**
For Sums not exceeding Fifty Pounds.

Thomas Moore — Thady Flaherty

County Meath. Trim **Gaol.**
For upwards of Fifty Pounds.

Thomas Fitzſimons

For leſs than Fifty Pounds.

William Monaghan

County Kildare. Naas **Gaol.**
For leſs than Fifty Pounds.

Jeffry Harborn — Mathew Noland
William Murphy — Hugh Byrne

Queen's **County Marſhallea.**
For upwards of Fifty Pounds.

Patrick Dunn — Thomas Stapleton

For leſs than Fifty Pounds.

William Benn — John Webb
Patrick Mc Donnell — John Terrill
Darby Dunn — Thomas Kelly

County Roſcommon **Gaol.**
For Sums not exceeding Fifty Pounds.

Dennis Coghlan — William Walſh
Daniel Callaghan — Daniel Mooney
Hugh Hanly — John Dawes
Michael Connor — Thomas Dowd

Anno Regni ſexto

County Sligo **Gaol.**
For leſs than Fifty Pounds.
Mathew Feeny

County Tipperary. **Clonmell Gaol.**
For upwards of Fifty Pounds.
Henry Wade
For leſs than Fifty Pounds.
William Murphy

County Tyrone. **Omagh Gaol,**
For upwards of Fifty Pounds.
Lilly Taylor — Joſeph Marſhall
William Mc Criſtell
For Sums not exceeding Fifty Pounds.
James Mc Corkhill — James Mc Culloch
George Walker — John Kerr
Henry Magrady — James Watt
Charles Murry — John Gilmore
James Mc Crea — Alexander Mc Donnell
John Mc Cormic — Patrick Hagan
William Morriſs — Francis Parks
Henry Mc Taggart — John Hawthorn

County of the Town of Drogheda Gaol and Marſhallea.
For upwards of Fifty Pounds.
William Foſter

For

For less than Fifty Pounds.

John Gough
Patrick Conway
Nicholas Donovan

Corporation Marshalsea of Dundalk.

For Sums not exceeding Fifty Pounds.

Andrew Mc Kone
Patrick Byrne
Edward Donnelly
Hugh Hanlon
Hugh Creighton
Peter Danaghey

County of Fermanagh. Enniskillen **Gaol.**

For Sums not exceeding Fifty Pounds.

James Denisson
Richard Robinson
James Robinson
James Moxley
Thomas Cole

County and Town of Galway **Marshalsea.**

For Sums not exceeding Fifty Pounds.

Bartholomew Farragher
Henry Hughes
Charles Byrne
Patrick Coghlan
James Delap
Laughlin Gimrane
Thady Dempsey
John Woods
John Mc Hugo
Edmond Burke
Thomas Holland, senior
Thomas Holland, junior
Ezekial Rodgers
Patrick Kenny
Michael Connor
Michael Mc Donagh
Hugh Mulloney
Daniel Liddane
William Spring
John Drignom
Michael Larnor
James Maley
James Conry
Martin Ward

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William Melody — John Whitnall
John Cormackan — Dominick Bodkin
Michael Mc Hugo — Ann Reynolds
Marcus Liddone — James Gallagher

County Kilkenny **Marſhalſea.**

For upwards of Fifty Pounds.

William Downey — Patrick Walſh

For leſs than Fifty Pounds.

Thomas Kealy

County Kerry. Tralee **Gaol.**

For upwards of Fifty Pounds.

Patrick Sughrue — Michael Fitz-Gerald
Timothy Broſnehan — James Healy

For Sums not exceeding Fifty Pounds.

Timothy Lynchy — Philip Kelly
William Edmunds — Thomas Broſnehan
Owen Hogan — Timothy Connor
Owen Sullivan — Thomas Mc Mahan

King's **County.** Philipſtown **Gaol.**

For upwards of Fifty Pounds.

Michael Duffey

For Sums not exceeding Fifty Pounds.

Bryan Hogan — David Coyne
John Keating — William Mahon

County

County and City Londonderry **Gaol and Marſhalſea.**

For upwards of Fifty Pounds.

Patrick O'Kane

For Sums not exceeding Fifty Pounds.

Samuel Allen
John Hunter
Robert Patterſon
John Freeland
James Soden

County Louth. Dundalk **Gaol.**

For Sums not exceeding Fifty Pounds.

Patrick Lunon
John Scott
Henry Mc Entoſh

County and City of Limerick **Gaol and Marſhalſea.**

For upwards of Fifty Pounds.

Florence Mc Carthy

For Sums not exceeding Fifty Pounds.

John Hayes
Cornelius Kinalty
John Healy
Silveſter Flinn
Dennis Shaughneſſy
Richard Dalton
John Cormacan
Andrew Boyle
Michael Mc Kenna
Lawrence Callan
Edward Mc Manmy

Strabane **Marſhalſea.**

Leſs than Fifty Pounds.

John Loughry

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County of the City of Waterford Marſhallea.

For upwards of Fifty Pounds.

John Warren
Valentine Shortall
Edmond Walſh

For leſs than Fifty Pounds.

John Walſh
John Hickey
James Kerwick
John Ridley
Henry Norrington
Owen Bryan
John Daniel
Stephen Hilſby

County of Waterford. Tallow Gaol.

For leſs than Fifty Pounds.

Samuel Ireton
Dennis Ryan
Mary Tobin
William Coſheen
Laurence Neale

County of Waterford Gaol.

For upwards of Fifty Pounds.

Robert Walſh
David Whelan
Maurice Higgins

For leſs than Fifty Pounds.

John Patten
John Fitz-Gerald

County of Wexford Gaol.

For upwards of Fifty Pounds.

Jos: Radford

For leſs than Fifty Pounds.

Nehemiah Pitham
John Maylor
John Cormick

County Wicklow Gaol.
For upwards of Fifty Pounds.
David Tindal.

SCHEDULE No. II.

A LIST of Persons who are to be intitled to the Benefit of this Act, altho' they are not in actual Custody.

John Alder of the Town of Athlone, Merchant
John Archer of the City of Dublin, Merchant
James Bracken of the same, Linen-Draper
Well. Peter Bourſiquot and Thomas Paget of the same, Woollen-Drapers
Thomas Brewer, junior, of the same, Merchant
Thomas Bryan of the King's County, Farmer
Elinor Beasly of the City of Dublin, Widow
Thomas Buckfield of the same, Taylor
Thomond Ball of the same, Merchant
William Browne of the same, Brass and Ivory Turner
Mary Burke of the same, Dealer
Michael Bathe of the same, Cooper

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Thomas Brewer, ſenior, of Porterſtown, County of Meath, Farmer
Nicholas Browne of the City of Dublin, Lapper
Stephen Boyle of the City of Corke, Linen-Weaver
Thomas Bunbury of the City of Dublin, Silverſmith
Elizabeth Buſhell of the ſame, Tape-Weaver
Charles Byrne of the ſame, Mariner
James Creagh of the City of Limerick, Gentleman
Joſhua Corkery of the Town of Tralee, Butcher
Gregory Coſtigan of the City of Dublin, Smith
Thomas Chute of the City of Corke, Merchant
John Coleman of the City of Limerick, Chandler
Gabriel Clarke of the City of Dublin, Merchant
Bryan Croghan of the City of Corke, Labourer
John Croſbie of the City of Dublin, Brewer
Garrett Carney and John Carney of the ſame, Hardware Merchants
Kendrick Davies of the ſame, Carpenter
Patrick Doyle of the County of Meath, Dealer
William Delaney of Francis-Street, Merchant
Richard Dunn of the Queen's County, Farmer
Laurence Donnelly of the City of Dublin, Merchant

Bridget Dooner of the ſame, Retailer of Butter
Matthew Delomey of the ſame, Stone-blue-maker
James Dunny of the ſame, Baker
John Diviney of the ſame, Butcher
Owen Dunn of the ſame, Publican
John Dillon of the ſame, Merchant
Dennis Deaſey of the City of Corke, Boatman
Thomas Fleming of the City of Dublin, Tallow Chandler
Michael Fleming of the County of Meath, Labourer
Edmond Fitz Gerald of the City of Dublin, Waiter
Adam Fleetwood of the ſame, Merchant
John Foran of the ſame, Silk-Weaver
John Faulkiner of the ſame, Currier
William Gubbins of the City of Limerick, Dealer in Hardware
Thomas Galbally of the City of Dublin, Victualler
John Green of the ſame, late Merchant
Patrick Goold of the County of Corke, Dealer
Henry Greaves of the City of Dublin, Merchant
John Hacket of the City of Dublin, Merchant
John Hale of the ſame, Coach Owner
Andrew Harney of the ſame, Mariner
James Hamill of the ſame, Felt-maker
Timothy Hyland of the ſame, Baker

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John Healy late of Cecil-ſtreet, London, now of Dublin, Merchant
Henry Hinds of the ſame, Publican
William Hodgſon of Newry, Merchant
Felix Hayes and Matthew Hayes of the County of Limerick, Farmers
Peter Johnſon of the City of Cork, Merchant
Thomas Jones of the City of Dublin, Felt-maker
John Jones of the ſame, Ale-Draper
Daniel Kidney of the City of Cork, Vintner
Henry Kearns of the City of Dublin, Haberdaſher
Rebecca Keeling of the ſame, Grocer
Michael Kenny of the ſame, Grocer
James Kennedy of the ſame, Silk Manufacturer
James Leary of the ſame, Merchant
Chriſtian Lewis of the ſame, Widow and Vintner
John Larcey of the ſame, Ale-Draper
Silveſter Matthews of the ſame, Linen Manufacturer
James Magawran of the County of Meath, Dealer
Edmond Moroony of the City of Limerick, Merchant
John Meade of the ſame, Gentleman
George Meares of the ſame, Glazier

Cornelius

Cornelius Mc Keogh of the Town of Drogheda, Merchant
Richard Murphy of the City of Dublin, Merchant and Laceman
Michael M'Cann of the same, Linen-draper
Bridget M'Manus of the Town of Kilcock, Widow
Andrew M'Mahan of the City of Dublin, Ale-draper
Thomas M'Carthy of the same, Distiller
John Nicklin of the same, Silversmith
John Nouvell of the same, Merchant
John O'Brien of the City of Cork, Cooper
Bernard O'Neal of the City of Dublin, Dealer
Francis Ozier of the same, Silk-Weaver
Bryan O'Neale of the same, Linen-draper
John Osborne of the same, Baker.
Peter O'Brien of the same, Linen-painter and Dyer
John Parvisol of Dame-Street in the said City, Hatter
Philip Phillips of the said City, Chocolate-maker
Peter Roan of the same, Silk-Weaver
Thomas Ready of the Town of Ardfert, Cordwainer
James Ruth of the Town of Blackrock, Vintner
Valentine Ramsey of the City of Dublin, Merchant

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Patrick Redmond of the ſame, Baker
Edward Reeves of the ſame, China-Merchant
Henry Reynolds of the ſame, Grocer
John Sherridan of the ſame, Ale-Draper
Thomas Sherridan Comedian
Thomas Shelly of the City of Dublin, Butcher
John Taaffe of the City of Dublin, Sadler
William Walſh of the King's County, Woolcomber, and
John Wade of the City of Dublin, Merchant
Chriſtopher Browne of the Town of Galway, Merchant
Samuel Dickſon of the City of Dublin, Linen-Printer
James Fletcher of the City of Dublin, Merchant and Linen-Draper
Bartholomew Judge of the City of Dublin, Printer and Dyer
Dennis Moylan of the City of Cork, Butcher
George Shields of the City of Dublin, Woolen-Draper
John Waller of George's-Lane in the City of Dublin, Tobacconiſt
Peirce Dodd of the City of Dublin, Chandler
Michael Butler of the ſame, Grocer
Richard Newſam of the ſame, Clothier.

AN

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AN

ACT

FOR

Altering and Amending ſeveral Statutes heretofore made for the better Regulation of the City of *Cork*, and for regulating Trials by Juries in the Court of Record of the ſaid City; and for eſtabliſhing Market-Juries in the ſaid City; and for making wide and convenient Ways, Streets, and Paſſages in the ſaid City and Suburbs thereof; and for preventing Frauds committed by the Bakers and Meal-makers of the ſaid City.

DUBLIN:

Printed by BOULTER GRIERSON, Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

AN

ACT

FOR

Altering and Amending ſeveral Statutes heretofore made for the better Regulation of the City of *Cork*, and for regulating Trials by Juries in the Court of Record of the ſaid City; and for eſtabliſhing Market-Juries in the ſaid City; and for making wide and convenient Ways, Streets, and Paſſages in the ſaid City and Suburbs thereof; and for preventing Frauds committed by the Bakers and Meal-makers of the ſaid City.

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WHEREAS an Act paſſed in the Third Year of the Reign of His preſent Majeſty, intituled, An Act for continuing and amending certain Temporary Statutes heretofore made for the better Regulation of the City of *Cork*,

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and for enlarging the Salary of the Treaſurer; and for the better regulating the Sale of the Coals in the ſaid City; and for erecting and continuing Lamps in the ſame; and for the better preſerving the Streets and Highways therein; and for confirming and eſtabliſhing a Court of Conſcience in the ſaid City; and for regulating the Aſſize of Bread therein; and for ſecuring the Quays by Parapet-Walls, has been found ineffectual, with reſpect to the erecting and continuing Lamps in the ſaid City of Cork; for Remedy whereof, Be it Enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, ſo far as it relates to the erecting and continuing Lamps in the ſaid City, ſhall be and is hereby repealed and made null and void; and that it ſhall and may be lawful for the Mayor, Sheriffs, and Common-Council of the ſaid City of Cork, and they are hereby required yearly to aſcertain and fix on the Number and Kind of Lamps neceſſary for the ſaid City and Suburbs thereof, and the Places where the ſame ſhall be erected, and the Manner of erecting the ſame, and the Time when, and how long the ſaid Lamps

ſhall

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ſhall be and continue lighted, and the Manner of lighting, cleanſing, trimming, ſnuffing, maintaining, and repairing the ſame, together with the Amount of the Sums of Money to be expended in the erecting, lighting, cleanſing, trimming, ſnuffing, maintaining, and repairing each of the ſaid Lamps; and that it ſhall and may be lawful for the ſaid Mayor, Sheriffs, and Common Council of the ſaid City of Cork, and they are hereby required yearly, and every Year, between the firſt Day of May and firſt Day of Auguſt in each Year, to nominate and appoint in Writing two Inhabitants of each of the ſix Pariſhes of the ſaid City and Suburbs, to wit, St. Mary Shandon, St. Peter, St. Paul, Chriſt Church, St. Nicholas, and St. Finbarry, to be Applotters; and that the ſaid Applotters, or any Five or more of them, ſhall and may, and they are hereby required to applot the Money to be levied, raiſed, and paid, for the Purpoſes aforeſaid, on the Inhabitants of the ſaid City of Cork and Suburbs thereof, according to the Subſtance of the ſaid Inhabitants reſpectively; and that as often as any Deficiency ſhall happen in the Sums ſo to be applotted, or in the Payment thereof, by or on Account of the Death, Inſolvency,

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or Change of Abode of any of the ſaid ſeveral Inhabitants, it ſhall and may be lawful for the next ſucceeding Applotters, and they are hereby required to applot the Amount of ſuch Deficiency on the aforeſaid Inhabitants, in ſuch Manner as aforeſaid, with the next Applotment which ſhall be made after ſuch Deficiency ſhall ſo happen; and that each of the ſaid Applotters ſhall, previouſly to his acting as an Applotter, take and ſubſcribe an Oath, or ſolemn Affirmation (if of the People called Quakers) before the Mayor of the ſaid City of Cork, that he will, according to the beſt of his Skill, Abilities, and Knowledge, faithfully and impartially, without Favour or Affection, Malice, or Ill-will to any Perſon or Perſons whatſoever, applot the ſaid Sums ſo to be applotted as aforeſaid; and that if any of the Applotters, to be appointed purſuant to this Act of Parliament, ſhall neglect, omit, or refuſe to take the Oath or Affirmation hereby required to be taken by each of the ſaid Applotters, or ſhall happen to die before the ſaid Applotters or any five or more of them ſhall have made the aforeſaid Applotments, that ſuch Neglect, Refuſal, Omiſſion, or Death, ſhall not invalidate the Applotments made or to be made by the other of the ſaid Applotters,

or

or any Five or more of them, but that in every such Case, notwithstanding such Neglect, Omission, Refusal, or Death, the Applotments made or to be made by the others of the said Applotters, or any Five or more of them, shall be good and valid; and that the said Applotments, in Ten Days after the same shall be so made, shall be returned to the Mayor of the said City of Cork in Writing, signed by the Applotters thereof, or any Five or more of them; and that every Person who shall be appointed an Applotter by the Mayor, Sheriffs, and Common Council of the said City of Cork, pursuant to this Act, and shall neglect, omit, or refuse to take upon him the said Office, or undertaking the same, shall neglect or omit the Execution thereof, or of any Part thereof, or shall neglect, omit, or refuse to return the Applotments to be made by him or them as aforesaid, in such Manner, and within such Time as herein before is mentioned, or shall, without reasonable Cause, neglect or omit for the Space of eight and forty Hours, after being summoned thereunto in Writing, signed by the Mayor of the said City of Cork, to appear before the said Mayor, and to take the Oath or Affirmation herein before mentioned, or

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shall neglect or omit for Twenty Days after the Majority of the Applotters appointed pursuant to this Act, shall have taken the Oath or Affirmation to make the aforesaid Applotments pursuant to this Act, in every such Case, each and every one of the said Applotters so offending, shall forfeit the Sum of Ten Pounds, to be recovered by Distress of the Offender's Goods, by Virtue of a Warrant under the Hand and Seal of the Mayor of the said City of Cork, to be issued for that Purpose to the Constable of one of the said Parishes, or other proper Officer or Officers, and to be applied in such Manner as is hereinafter directed; and that if it shall happen that no such Applotments as herein before set forth, shall be made by the aforesaid Applotters, or any Five or more of them, within one Kalendar Month after the said Applotters shall have been appointed pursuant to this Act, that then and in such Case, each and every of the said Applotters shall, from the End of the said Month, forfeit the Sum of Twenty Shillings for every Day, until the said Applotments shall be made and returned to the Mayor of the said City, to be levied by Distress and Sale of the Offenders Goods, by Virtue and under such Warrant

rant as aforesaid, and to be applied in such Manner as herein after directed; and that it shall and may be lawful for the Mayor, Sheriffs, and Common Council of the said City of Cork, from Time to Time, to agree with, and appoint any Person or Persons as Lamp-Contractor or Contractors for erecting, lighting, cleansing, trimming, snuffing, maintaining, and repairing the said Lamps, for any Number of Years, not exceeding Fourteen, and the Person or Persons so appointed, shall, before he or they shall enter upon the Execution of the said Office, give Security by Bond made payable to the Mayor, Sheriffs, and Commonalty of the said City of Cork, with two sufficient Securities for the due and faithful Execution of his or their Office or Offices; and that it shall and may be lawful for the said Mayor, Sheriffs, and Common Council to nominate, constitute, and appoint such Lamp-Contractor and Contractors to collect and receive the several Sums to be made payable by the Applotments herein before mentioned, and that the said Lamp-Contractor or Contractors shall collect and receive, half-yearly, the several Sums to be made payable by the herein before mentioned Applotments, of and from all Persons liable to

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pay the same, and all Persons who shall be charged therewith, or be thereunto liable, shall pay such Sums so applotted on them as aforesaid, to the said Lamp-Contractor or Contractors for the Time being, by two half-yearly Payments, on every First Day of January, and on every First Day of July, such Lamp-Contractor or Contractors giving, from Time to Time, Receipts gratis, if thereunto required: And that if any Person or Persons shall neglect or refuse to pay the Sum or Sums of Money applotted on him, her, or them as aforesaid, for Seven Days after personal Demand thereof made from him, her, or them, by the said Lamp-Contractor or Contractors, or any Person, by Writing signed by the said Lamp-Contractor or Contractors thereunto authorized, or after Demand in Writing shall be left at the Place of Abode of such Person or Persons, that then and in every such Case it shall and may be lawful for such Lamp-Contractor or Contractors, in the Presence of one or more Constable or Constables of the said Parishes, to distrain the Goods and Chattles of such Person or Persons, and if the said Goods and Chattles shall not be replevied, or the Money paid within six Days after such Distress made, together

with the Costs of making such Distress, to be ascertained by the Mayor of the said City of Cork, then to appraize and sell the said Goods and Chattles, or such Part thereof as shall be sufficient to pay the Money applotted on such Person or Persons, together with all Costs and Charges attending the said Distress, returning the Overplus (if any) to the Owner or Owners of such Goods or Chattles; and in Case any Replevin shall be brought for the Goods and Chattles so distrained, the Mayor of the said City of Cork for the Time being, shall and is hereby impowered and required to issue a Summons in Writing to all Parties concerned, to hear and determine the Matter in Dispute, whether the same shall depend upon a Claim of Property by a Stranger or otherwise, in the most speedy and summary Way, by examining Parties and Witnesses on Oath, which he is hereby impowered to do, and to award Return of Goods so distrained, or a Sale thereof for Payment of the said Sum or Sums applotted on the said Person or Persons, unless such Distress be forthwith redeemed, and the Determination of the said Mayor shall be final and conclusive to all Parties; and that it shall and may be lawful for the

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Mayor, Sheriffs, and Common Council of the said City of Cork, as often as any person or persons whom they shall agree with, and appoint to erect, light, snuff, cleanse, trim, maintain, and repair the said Lamps, shall be guilty of any Neglect or Misbehaviour in the Execution of his or their said Office or Offices, to remove him or them so offending from his, her, or their respective Offices, and in his or their Stead, from Time to Time, to appoint any other person or persons as Lamp-Contractor or Contractors, to erect, light, snuff, cleanse, trim, repair, and maintain the said Lamps, taking such Security from him or them as aforesaid, for any Term of Years not exceeding Fourteen, and such person or Persons so to be agreed with and appointed as aforesaid, may and shall have and receive the several Sums to be made payable by the Applotments aforesaid, with the several Powers of distraining and recovering the same, which are herein before mentioned. Provided, that if any person or persons so removed, shall think himself, or themselves aggrieved by such Removal, it shall and may be lawful for him or them to appeal to the next going Judge of Assize for the County of the said City, who is hereby authorized finally to determine

mine the Matter in Diſpute and to reſtore ſuch Perſon or Perſons, or to confirm his or their Removal, as to the ſaid Judge ſhall ſeem fit, from which Determination there ſhall be no further Appeal; and that if any Perſon or Perſons whom the Mayor, Sheriffs, and Common Council of the ſaid City of Cork ſhall agree with and appoint to erect, light, ſnuff, cleanſe, trim, maintain, and repair the ſaid Lamps as aforeſaid, ſhall neglect to ſupply the ſaid Lamps with a ſufficient Quantity of good and proper Wick or Oyl, to continue lighting for ſuch Time, as the ſaid Mayor, Sheriffs, and Common Council ſhall determine and fix on as aforeſaid, or ſhall neglect to keep the Glaſſes of the ſaid Lamps, and every of them clean and entire, or ſhall be guilty of any other neglect for which the Mayor or Sheriffs, and Common Council of the ſaid City, may not think proper to remove the ſaid Perſon or Perſons, that then and in every ſuch Caſe, ſuch Perſon or Perſons ſo offending, ſhall forfeit for every Lamp which the ſaid Perſon or Perſons ſhall ſo neglect, for every Night which ſuch Perſon or Perſons ſhall ſo neglect the ſame, the Sum of Five Shillings, to be recovered and levied by Diſtreſs and Sale of ſuch Offender's Goods and Chattles

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after Conviction, before the Mayor or other Justice of the Peace of the said City of Cork, by the Testimony of one Witness, or by Confession of the party accused, and to be applied in Manner herein after directed; and that if any Person or Persons shall wilfully or maliciously break, throw down, or extinguish any Lamp or Lamps, now or hereafter to be set up to light the Streets, Lanes, Passages, or Quays of the said City of Cork, or the Suburbs thereof, or wilfully damage the Posts, Iron, or other Furniture of the same; it shall be lawful for any Person or Persons to arrest and detain such Offender or Offenders, until he, she, or they may be carried before the Mayor, or some other Justice of the Peace of the said City for the Time being, and every Person so offending, and being thereof convicted by the Oath of one Witness, or by the Confession of the party accused before the Mayor, or any Justice of the Peace for the said City, shall for the first Offence forfeit Forty Shillings for each Lamp-Post, Iron, or Furniture thereof; and for the second Offence the Sum of Fifty Shillings for each Lamp-Post, Iron, or Furniture thereof; and for the third and every subsequent Offence the Sum of Three Pounds for each Lamp-Post, Iron, or Furniture thereof,

of, so to be broken, thrown down, extinguished, or wilfully damaged, to be recovered and levied by Distress and Sale of the Offender's Goods in Manner as aforesaid, and to be applied in such Manner as herein after directed: And in Case any Person or Persons shall be convicted in the Manner before prescribed, of breaking, throwing down, or extinguishing any Lamp within the said City or Suburbs thereof, or wilfully damaging the Posts, Iron, or other Furniture thereof, and no Goods or Chattles of the Person so offending, can at the Time of such Conviction be found, then and in such Case it shall be lawful for the said Mayor or Justice hearing such Complaint to commit such Offender to the House of Correction, there to be kept to hard Labour for any Time not less than One Month, and not exceeding Six Months: Provided that if such Penalty or Forfeiture shall be paid before the Time of such Commitment be expired, that then such Offender shall, upon such Payment, be immediately discharged out of Custody; and in Case no Goods or Chattles of any of the other Offenders, who shall be convicted of any of the other Offences, Omissions, or Refusals, made punishable by pecuniary

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Penalties by any other Part of this Act relating to Lamps, ſhall be found within Twenty four Hours after iſſuing ſuch Warrant as aforeſaid, then it ſhall be lawful for the ſaid Mayor to iſſue his Warrant in Nature of an Execution, to take the Body of ſuch Offender, and to commit ſuch Offender to the Gaol of the ſaid City and County of the ſaid City of Cork, to be held in Execution until ſuch Penalty and Forfeiture ſhall be ſatisfied and paid.

Provided nevertheleſs, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by the Judgment of the ſaid Mayor of the City of Cork, or other Juſtice of the Peace, that ſuch Perſon or Perſons may appeal to the Juſtices of the Peace, at the next General or Quarter-Seſſions to be held for the ſaid City of Cork; and if any ſuch Perſon or Perſons ſhall happen to be in Cuſtody, ſuch Perſon and Perſons ſhall and may be diſcharged out of Cuſtody, upon giving ſufficient Bail to appear at the ſaid Seſſions; and the Juſtices of the Peace at ſuch Seſſions are hereby impowered to ſummon and examine Witneſſes on Oath on either Side, and finally to hear and determine

termine the Merits of such Appeal, and make such Order therein, as shall be agreeable to the Provision and Meaning of this Act, and to the Nature and Circumstances of the Case; and in case of Conviction, may and shall issue a Warrant or Warrants for levying the Penalties and Forfeitures, and for committing the Offender or Offenders as aforesaid, that all the pecuniary Penalties and Forfeitures which shall be inflicted and levied by this Act, for wilfully or maliciously breaking, throwing down, or extinguishing any Lamp or Lamps, erected or to be erected in the said City or Suburbs thereof, or for wilfully damaging the Posts, Iron, or other Furniture of the same, shall be paid and applied in the Manner following, that is to say, One Moiety thereof to the Person or Persons who shall discover and prosecute such Offender or Offenders to Conviction, and the other Moiety, and all the other pecuniary Penalties and Forfeitures which shall be inflicted and levied by this Act, to the Governors of the Work-house of the said City of Cork, for the Use of the said Work-house; and that if any Person or Persons shall steal, or forcibly carry away any of the said Lamps, Irons, Posts, or Furniture thereof, such Person or Persons,

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being lawfully convicted thereof upon Indictment, ſhall be adjudged guilty of Felony, and ſhall be Tranſported to one of His Majeſty's Plantations in America for Seven Years, or ſhall be publickly whipt at the Diſcretion of the Judge who ſhall paſs Judgment on ſuch Offender.

And whereas the Mayor, Sheriffs, and Commonalty of the ſaid City of Cork, not having Money ſufficient in the Funds of the ſaid City for the erecting and lighting Lamps in the ſaid City and Suburbs, did, on the Credit of the ſaid Funds, and in Conſequence of a Clauſe in the herein before recited Act of Parliament, borrow the Sum of Nine Hundred and Thirty Eight Pounds Sixteen Shillings and Seven Pence Halfpenny, at Intereſt at the Rate of Five Pounds for every Hundred by the Year, which Sum they have expended for the Purpoſes aforeſaid: And whereas the ſaid Mayor, Sheriffs, and Commonalty have repaid the ſaid Sum of Nine Hundred and Thirty Eight Pounds Sixteen Shillings and Seven Pence Halfpenny, together with Seventy Seven Pounds Thirteen Shillings and Eight Pence Intereſt due thereon, amounting in the Whole to the Sum of One Thouſand and Sixteen Pounds Ten Shillings

Shillings and Three Pence, We it Enacted by the Authority aforesaid, That the Applottets to be appointed pursuant to this Act, shall and may, and they are hereby required, over and above the Sums which they are herein before required to applot on the several Inhabitants of the said City of Cork and the Suburbs thereof, to applot on the said several Inhabitants, according to their Substance, the aforesaid Sum of One Thousand and Sixteen Pounds Ten Shillings and Three Pence, in Three equal Yearly successive Applotments, the said Applotments to be collected with the First, Second, and Third of the said Applotments which shall be made after the End of this present Session of Parliament, for the erecting, lighting, trimming, snuffing, cleansing, repairing, and maintaining the Lamps of the said City of Cork and the Suburbs thereof; and that the said Lamp-Contractor or Contractors shall collect and receive the same in Manner aforesaid, and shall pay over to the Chamberlain of the said City of Cork, for the Use of the said Mayor, Sheriffs, and Commonalty, the said Sum of One Thousand and Sixteen Pounds Ten Shillings and Three Pence, as he or they shall receive the same, under the said Three Applotments thereof respectively;

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tively; and that all and singular the Lamps, Irons, Posts, and other Furniture thereunto belonging, now in the Possession of the said Mayor, Sheriffs, and Commonalty of the said City of Cork, and which were purchased with Part of the said Sum of One Thousand and Sixteen Pounds Ten Shillings and Three Pence, shall go in Aid of the Execution of this Act, without any Sum or Sums of Money being levied or raised for the Value or Purchase of the Sale, save the aforesaid Sum of One Thousand and Sixteen Pounds Ten Shillings and Three Pence; and that every Person who shall be appointed an Applotter in Manner herein before set forth, and shall refuse or neglect to take upon him the Office of Applotting the said Sum of One Thousand and Sixteen Pounds Ten Shillings and Three Pence, or shall undertake the same, and omit or neglect the Execution thereof, or shall omit or neglect to return the Applotment, in such Manner, and within such Time, as herein before is mentioned with respect to the other Applotments herein before set forth, shall be liable and subject to such Penalties, Forfeitures, and Punishments, as he would have been liable to, in case he had been guilty of such Refusal,

ſal, Neglect, or Omiſſion, with reſpect to the other Applotments herein before mentioned; and that the aforeſaid Lamp-Contractor or Contractors ſhall have the ſame Power and Authority, and are hereby required, to collect the ſaid Sum of One Thouſand and Sixteen Pounds Ten Shillings and Three Pence, in the ſame Manner as in caſe of the other Applotted Sums herein before mentioned; and that the Perſons on whom any Part of the ſaid Sum of One Thouſand and Sixteen Pounds Ten Shillings and Three Pence ſhall be applotted, ſhall be liable to the Payment of the ſame, in like Manner as they are to the Payment of the other Sums herein before mentioned.

And whereas it has been found that a ſufficient Number of Freeholders cannot be eaſily had in the ſaid City qualified to act as Jurors in the Court of Record of the ſaid City, whereby the Trials of Cauſes in the ſaid Court are much retarded, to the great Loſs and Delay of the Parties concerned: And whereas there are Numbers of Wealthy Citizens in the ſaid City who have not Freeholds; Be it Enacted by the Authority aforeſaid, That from henceforth the Want of Freehold ſhall not be a legal

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or sufficient Objection or Challenge to any Person summoned to be a Juror in the said Court, but that any Person possessed of or worth the Sum of Fifty Pounds, over and above all his just Debts, shall be qualified to be impannelled and sworn as a Juror in the said Court, as if such Person had a sufficient Freehold.

And whereas Doubts have arisen, whether the Mayor and Council of the said City of Cork, are authorized under the herein before recited Act of Parliament, to compel any Person or Persons to repair or rebuild the Parapet Walls of the Quays, Dykes, or Canals of the said City, or to build any Parapet Walls opposite to the Ends of Streets, Lanes, or Passages leading to the said Quays, Dykes, or Canals, Be it Enacted by the Authority aforesaid, That as often as any of the said Parapet Walls shall be broken down, or out of Repair, it shall and may be lawful for the said Mayor and Council, from Time to Time, to compel the same Persons who by the said recited Act were compellable to build the said Walls, to rebuild and repair them, in the same Manner and Time, and to the same Height and Dimensions, as by the said recited Act

the

the said Persons were and are compellable to build them, with like Power to the said Mayor, in case the said Persons, or any of them, shall neglect or refuse to rebuild or repair the said Walls, as in and by the said recited Act is given to the said Mayor, in case any of the Persons shall neglect or refuse to build the said Parapet Walls, and with like Forfeiture on such Persons so neglecting or refusing; to be recovered and applied in the like Manner, as in the said recited Act is set forth, with respect to Persons neglecting or refusing to build the said Walls; and that it shall and may be lawful for the said Mayor and Council to compel the Occupiers of the Corner-Houses, Cellars, or Yards (or in case the same be waste) to compel the Owners thereof at the next adjoining End of any Street, Lane, or Passage leading to any Quay, Dyke, or Canal, in the said City of Cork, or in the Suburbs thereof, to build, rebuild, and repair Parapet Walls opposite to the Ends of the said Streets, Lanes, and Passages, in the same Manner and Time, and to the same Height and Dimensions, as the Parapet Walls in the said recited Act mentioned, are to be built, and with like Power to the said Mayor, in case the said respective Occupiers

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and Owners, or any of them, ſhall neglect or refuſe to build, rebuild, or repair the ſaid laſt mentioned Parapet Walls, as in and by the ſaid recited Act is given to the ſaid Mayor with reſpect to Perſons refuſing or neglecting to build the Parapet Walls therein mentioned, with like Forfeitures on ſuch Perſons ſo neglecting or refuſing; to be recovered and applied in like Manner, and with ſuch Privilege of Retainer of Rent to yearly Tenants and Tenants at Will, as in the ſaid recited Act is ſet forth, with reſpect to Perſons neglecting or refuſing to build the Parapet Walls in the ſaid recited Act mentioned.

And whereas in and by an Act made in the Firſt Year of His Preſent Majeſty's Reign, intituled, An Act for the more eaſy and equal aſſeſſing and applotting all Money preſented by the Grand Jury of each Aſſizes to be held for the City and County of the City of *Cork*, and for putting the Coaches, Chaiſes, Chairs, and Sedans that ply for Hire in the ſaid City, under the like Regulations, for the Benefit of the Work-houſe of *Cork*, as they are in *Dublin*; and alſo for the better regulating the Harbour of *Cork*, it was among other Things Enacted, That the Grand Jury of each Aſſizes to be held for the ſaid City

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City and County of the ſaid City of Cork, ſhould preſent Twenty ſix Perſons as Applotters for aſſeſſing and applotting all Publick Money preſented to be raiſed in the ſaid City, and County of the ſaid City: And whereas no Power was thereby or therein given to the ſaid Grand Juries to preſent any Money for defraying the Expences of the ſaid Applotters in the Execution of their ſaid Offices; Be it Enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Grand Jury of the ſaid City, and County of the ſaid City, at the next Summer Aſſizes to be held for the ſaid City, and County of the ſaid City, after the End of the preſent Seſſion of Parliament, and the ſaid Grand Jury is hereby required to preſent all ſuch Sums of Money as ſhall have been expended from the Time of Enacting the ſaid laſt mentioned Act, to the Time of holding the ſaid Summer Aſſizes, by the ſaid Applotters, or any of them, or by the Treaſurer of the County of the ſaid City, for Pens, Ink, Books, or Paper uſed by the ſaid Applotters, or any of them, in the Execution of their Offices as Applotters, together with the Expences of ſummoning the ſaid Applotters from Time to Time, to take the Oaths required to be taken

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by the said Applotters, and to meet and to make Applotments; and that the respective Grand Juries, at every Assizes to be held for the said City, and County of the said City of Cork, after the said Summer Assizes, shall and may, and they are hereby required to present all such Sums of Money as shall have been expended by the said Applotters, or any of them, for the purposes aforesaid, between the Assizes immediately preceding the Assizes at which such Presentment shall be made, and such Assizes at which such Presentment shall be made, and the several Sums so presented for the purposes aforesaid, shall be levied and raised in the same Manner as is prescribed by the said last mentioned Act; provided, that no Money shall be presented for any of the aforesaid purposes, without an Affidavit being previously made, that the Sums to replace which such Money is to be presented, hath been honestly and fairly expended for the purposes aforesaid.

And Whereas by an Act of Parliament made in the said First Year of his Majesty's Reign, intituled, An Act for building a Stone Bridge from the Quay opposite *Princes-Street* in the City of *Cork* to *Lavits Island*, and a Stone Bridge from thence to the *Red*

Red Abby Marsh, with a Draw Bridge or lifting Bridge of Wood in the Center of the latter, sufficient to let Vessels pass and repass; and also for supplying the said City with Water; **certain Powers therein mentioned for supplying the said City with Water, were vested in the Common Council of the said City of** Cork, **and such Freemen at Large of the said City, as should be elected in open Court of** D'Oyer Hundred: **And whereas it is thought to be more advisable to vest the said Powers in the Mayor, Sheriffs, and Commonalty of the said City of** Cork, **with Liberty to them to appoint a Committee to execute the said Powers; be it Enacted by the Authority aforesaid, that all and singular the Powers therein vested in the said Common Council and Freemen, shall be and are hereby devested out of the said Common Council and Freemen, and vested in the said Mayor, Sheriffs and Commonalty, and their Successors for ever, in as full and ample Manner as they were in or by said last mentioned Act, vested in the said Common Council and Freemen; and that the Estate, Property, Right and Title in and to the Reservoirs, Canals, Trenches, Water-Courses and Pipes, to be made, cut or laid in pursuance, or by Virtue of**

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said last mentioned Act, together with all Profits and Advantages accruing from the same, or any of them, or from the Water in them or any of them to be contained, shall be and are hereby vested in the said Mayor, Sheriffs, and Commonalty, and their Successors for ever; and that it shall and may be lawful for the Mayor, Sheriffs, and Commonalty of the said City, under the Common Seal of the said City, to grant any Share or Shares, Dividend or Dividends of the Profits arising from the said Reservoirs, Canals, Trenches, Water-Courses, Pipes, and Water, or any of them, to such Freeman or Freemen at Large of the said City, and their Executors, Administrators, and Assigns, and for such Term of Years as the Mayor, Sheriffs, and Common Council of the said City by their Order or Orders confirmed by the Court of D'Oyer Hundred of the said City, shall appoint, such Freeman and Freemen to whom such Share or Shares, Dividend or Dividends shall be so granted, covenanting for him and them, his and their Heirs, Executors, Administrators, and Assigns, with the said Mayor, Sheriffs and Commonalty, to pay a proportionable part of the Expence attending the making, digging, cutting, repairing

and

pairing and keeping in Order the said Reservoirs, Canals, Trenches, Water-Courses, and Pipes, and that it shall and may be lawful for the Mayor, Sheriffs, and Common Council of the said City of Cork, by Act or Acts of Council confirmed by the said Court of D'Oyer Hundred, from Time to Time to make such Orders, Regulations, and Bye-Laws concerning the making, preserving, repairing, or altering the said Reservoirs, Canals, Trenches, Water-Courses, Water and Pipes, with such Penalties and Forfeitures for the Breach of the said Orders, Regulations, and Bye-Laws, and to be recovered and applied in such Manner, as to the said Mayor, Sheriffs, and Common Council shall seem reasonable, and that such Orders, Regulations, and Bye-Laws, shall be of the same Force, and have the same Efficacy as if they were herein particularly set forth and enacted; and that it shall and may be lawful for the said Mayor, Sheriffs, and Commonalty to agree with any Person or Persons seized or possessed of any Estate in Fee, or in Tail, or for the Life or Lives renewable for ever, or for any Term for Years in the County of Cork, at certain annual Rent or Rents, or otherwise as shall be agreed

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on to be paid by the ſaid Mayor, Sheriffs, and Commonalty, and their Succeſſors, to ſuch Perſon or Perſons, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, for Liberty for ever, or for any Number of Years which ſhall be agreed on, to take up Water from any River on the Eſtate or Grounds of ſuch Perſon or Perſons, and to cut, make, and dig Canals, Trenches, or Water-Courſes, for conveying the ſaid Water through the Eſtate or Grounds of any of the ſaid Perſon or Perſons, and that any of the ſaid Perſon or Perſons notwithſtanding any Diſability by Coverture, Settlement, Entail, or other Impediment, is and are hereby impowered to grant and demiſe the aforeſaid Liberty to the ſaid Mayor, Sheriffs, and Commonalty, and their Succeſſors; provided that in Caſe any of the ſaid Eſtates or Grounds ſhall be in Tenancy for any Term of Years not exceeding ſixty, That then and in every ſuch Caſe, the Rent ſo to be agreed upon by and between the ſaid Mayor, Sheriffs, and Commonalty, and the ſaid Perſon or Perſons to whom the Fee or Freehold of the ſaid Eſtates or Grounds ſhall reſpectively belong, ſhall belong and be paid to the ſaid reſpective Tenants of the ſaid Eſtates or Grounds, during

during the ſaid reſpective Terms, in Pro- CHAP. portion as the ſaid Canals, Trenches, and XXIV. Water-Courſes ſhall go through the ſaid Tenants ſaid Lands.

And whereas many of the Streets, Lanes, and Paſſages of the ſaid City of Cork and Suburbs thereof are too narrow, by means whereof the Trade of the ſaid City is greatly obſtructed; Be it Enacted by the Authority aforeſaid, That the Mayor, and Recorder of the ſaid City of Cork for the Time being, the Right Honourable John Hely Hutchinſon Eſquire, William Ponſonby Eſquire, Henry Sheares Eſquire, the ſeveral Aldermen of the ſaid City for the Time being, Hugh Lawton Eſquire, Francis Carleton Eſquire, Stephen Denroch Eſquire, Riggs Falkiner Eſquire, Bayly Rogers Eſquire, Walter Travers Eſquire, William Verling Eſquire, Simon Dring Eſquire, Luke Grant Eſquire, Kevan Izod Merchant, Godfrey Baker Merchant, Henry Wrixon Eſquire, and William Butler Eſquire, ſhall be and are hereby appointed Commiſſioners for making wide and convenient Streets, Ways, and Paſſages in the ſaid City of Cork, and the Suburbs thereof, and that it ſhall be lawful for the ſaid Commiſſioners, or the Survivors of them, or any Five of them, to meet at ſuch Times and

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Places in the ſaid City of Cork, as the ſaid Commiſſioners, or the Survivors of them, or any Five of them ſhall think proper.

And be it Enacted by the Authority aforeſaid, That all the Powers veſted by an Act made in the Thirty firſt Year of the Reign of George the Second, intituled, An Act for making a wide and convenient Way, Street, and Paſſage from *Eſſex-Bridge* to the *Caſtle* of *Dublin*, and for other Purpoſes therein mentioned, ſhall be and are hereby veſted in the herein before mentioned Commiſſioners, or any five or more of them, and that all and ſingular the Clauſes contained therein, except that Clauſe wherein certain Commiſſioners therein named are appointed, ſhall be in as full Force, with reſpect to the ſaid Streets, Lanes, and Paſſages, and the Lands, Ground, Houſes, and Tenements in the ſaid City of Cork, and the Suburbs thereof, as the ſame are given and granted by the ſaid laſt mentioned Act of Parliament to the Commiſſoners therein named, or to be by the Authority therein given, elected, or appointed with reſpect to the Streets, Lanes, and Paſſages, and the Lands, Ground, Houſes,

Houſes, and Tenements in the City of Dublin. CHAP. XXIV.

And whereas by the before mentioned Act, made in the Firſt Year of the Reign of His preſent Majeſty, it was enacted, that it ſhould be lawful for the Mayor, Sheriffs, and Commonalty of the City of Cork, to build a Stone Bridge over a Branch of the River Lee, running through the ſaid City from the Quay oppoſite to the Street called Princes-Street or Dunſcombs-Marſh in the ſaid City, to the northern or oppoſite Part of the Iſland called Lavits-Iſland, and to build one other Bridge of two Stone Arches, and a lifting or Portcullis Bridge over the ſouthern Channel of the ſaid River to Red Abby Marſh: And whereas it hath been found, that it would be more uſeful to the Inhabitants of the ſaid City, and to the Trade thereof, that a Draw-Bridge or Portcullis Bridge ſhould be made in the Place, where by the ſaid Act the Stone Bridge was appointed to be built, namely from the Quay oppoſite to the Street called Princes, to the oppoſite Part of the ſaid Lavits Iſland; Be it Enacted by the Authority aforeſaid, That it may and ſhall be lawful for the Mayor, Sheriffs, and Commonalty of the ſaid Ci-

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ty of Cork, to take down the Stone Bridge which hath been erected over the said Branch of the River Lee, which runs between the said Island and Dunscomb's Marsh, and in the place and Stead thereof, to build and erect a Turn or Wall Bridge, or Portcullis Bridge, and to build, erect, or finish a Stone Bridge of three Arches over the southern Channel of the said River, from the said Island to the said Red Abby Marsh, in the place where the Bridge of two Stone Arches and a Portcullis Bridge was by the said Act appointed to be built.

And whereas the said City of Cork is greatly encreased in the Number of Houses and Inhabitants, insomuch that the Mayor of the said City cannot so strictly attend the Inspection of the Markets of the said City as usual, and do the other requisite Duties of his Office, Be it therefore Enacted by the Authority aforesaid, That the Justices of the Peace for the County of the said City, at the Time of their issuing their Precept to the Sheriffs of the County of the said City, for holding the General Quarter-Sessions of the Peace for the County of said City, shall from Time to Time issue also a Precept to the said Sheriffs, requiring them to return to the said

Justices

Justices at the said Sessions, Twenty four of the Citizens of the said City, Twelve of whom to be sworn as a Market-Jury for the said City; and the said Sheriffs are hereby impowered and required to summon, and to return Twenty four Citizens of the said City for the Purpose aforesaid; and the said Justices shall cause the said Market-Jury to be sworn in open Court at the said Sessions, One by One, to wit, that he will well, truly, and diligently execute the Office of a Market-Juror of the said City, without Favour or Affection, Malice, or Ill-will to any Person or Persons whatsoever; and the said Market-Jury for the Time being, or any Three or more of them, are hereby impowered and required at seasonable Hours to visit the Markets, Store-Houses, Working-Houses, Cellars, and Shops in the said City, where Provisions and Victuals are sold or made up, or making up for Sale in the said City, and to inspect the Quality of the said Provisions and Victuals; and in case the said Jury, or any Three or more of them, shall find any unwholsome or bad Provisions or Victuals, or any Provisions or Victuals fraudulently or illegally made up, or Provisions or Victuals in the Hands of any Forestaller, Regrator, or Engrosser, that in every such Case, the said Jury, or

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any Three or more of them, are hereby impowered to ſeize the ſaid Proviſions or Victuals, and the Perſon or Perſons expoſing the ſame to Sale, or claiming to be the Owner or Owners thereof, and to carry the ſaid Proviſions and Victuals, and the ſaid Perſon or Perſons before the Mayor of the ſaid City for the Time being, who is hereby impowered to diſpoſe of the ſaid Proviſions and Victuals, and of the ſaid Perſon or Perſons according to Law; and that each Market-Jury ſo ſworn, or any Three or more of them, ſhall have full Power and Authority to execute the ſaid Office of a Market-Jury, from the Time of their being ſworn, until the next Market-Jury ſhall be ſworn, at the enſuing General Quarter-Seſſions of the Peace to be held for the County of the ſaid City; and if any Perſon, being duly ſummoned and returned by the ſaid Sheriffs to ſerve as a Market-Juror as aforeſaid, ſhall refuſe, neglect, or omit to appear, purſuant to the ſaid Summons, and take the Oath aforeſaid, or ſhall neglect or refuſe to execute the ſaid Office, it ſhall and may be lawful to and for the ſaid Juſtices at their Seſſions, and they are hereby impowered to impoſe a Fine, not exceeding Ten Pounds, on each and every ſuch Perſon; and the Mayor

Mayor of the said City is hereby impowered and required to issue his Warrant for the levying the said Fine by Distress and Sale of the Goods and Chattles of the said Person or Persons, and to pay over the Sums so levied, to the Governors of the Work-House of the said City of Cork, for the Use of the said Work-House.

And whereas several Frauds are committed by the Bakers and Meal-makers of the said City of Cork; For Remedy whereof, be it Enacted by the Authority aforesaid, That no Baker, or Seller of Bread, or Meal-maker, residing in the said City of Cork, or Suburbs thereof, shall, by himself, or herself, or others for his or her Use, buy any Corn from any Person, or at any Place, but in the Publick Market where Corn is usually sold or exposed to Sale within the said City of Cork, except where the same hath been imported, and then only from the Merchant, Factor, or Owner importing the same; and if any Baker, Seller of Bread, or Meal-maker, shall be convicted of buying Corn in any other Place or Manner than as aforesaid, by the Confession of the Party, or by the Oath of One credible Witness, before the Mayor of the said City, such Person, for

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every such Offence, shall forfeit Five Pounds, to be recovered in a summary Manner before the Mayor of the said City, and to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of the Mayor of the said City, One Half of the said Sum of Five Pounds to go to the Informer, and the other half thereof to the Governors of the Work-House of the said City of Cork, for the Use of the said Work-House; That every Baker or Person making or exposing Bread to Sale within the said City of Cork and Suburbs thereof, shall at all Times make the same Quantity of household as of wheaten Bread, unless the Mayor of the said City shall think it necessary, that greater Quantities of household or other Sort of Bread should be made, and that the Mayor of the said City shall publish the Proportions to be so baked, in the Weekly Assize of Bread, or otherwise, under his Hand; which Orders, so published, the said Bakers or Sellers of Bread are required to perform; and if any Baker or Person making or exposing Bread to Sale, shall omit to Bake an equal Number of household as wheaten Loaves, or shall not observe such Orders that shall be published as

as aforesaid, for Baking household or other Sorts of Bread, every Person so offending, and being thereof convicted by the Confession of the Party, or by the Oath of one credible Witness, before the Mayor of the said City, shall for every such Offence forfeit Forty Shillings, to be recovered in the summary Manner, and to be applied as is before mentioned; That no Person exercising the Trade of a Baker, shall at the same Time follow the Occupation of a Meal-Maker, or shall sell Meal in the said City, or the Suburbs thereof, during the Time of his or her exercising the Trade of a Baker, on Pain of forfeiting Five Pounds for every such Offence, to be recovered in the summary Manner, and to be levied and applied as is before mentioned.

Provided that if any Baker, Seller of Bread, or Meal-Maker, so convicted in any of the aforesaid Penalties, shall think him, or herself aggrieved, he or she may appeal in Writing, to the next Quarter-Sessions of the Peace for the County of the said of Cork, where the same shall be heared in a summary Manner, and finally determined; and if the Person so appealing shall not make good such Appeal, or pro-

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ſecute it with Effect, the ſaid Court of Seſſions ſhall award ſuch Coſts as they ſhall think reaſonable to the Proſecutor or Informer, and commit ſuch Offender to the common Gaol, until he or ſhe ſhall make Payment of the ſaid Coſts, and alſo of the Penalty adjudged on the Conviction to the Informer.

And be it further Enacted by the Authority aforeſaid, That the aforeſaid Acts, except ſuch Parts thereof as are hereby repealed, amended, or altered, ſhall remain in Force as if this Act had never been made; and that if any Perſon or Perſons ſhall be ſued or moleſted for any Thing done by Virtue, or in purſuance of this Act, ſuch Perſon or Perſons may plead the general Iſſue, and give this Act (which ſhall be deemed a Publick Act) and the ſpecial Matter in Evidence for his and their Defence, and if a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs diſcontinue his, her, or their Action, or be Nonſuited, or Judgment be given againſt the Plaintiff or Plaintiffs on Demurrer, or otherwiſe, the Defendant or Defendants ſhall have double Coſts.

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AN

ACT

FOR

Making a Turnpike Road from the Town of *Athlone* in the County of *Roſcommon*, to the Bridge of *Balliforan* on the River *Suck*, and from *Athlone* to the Town of *Mount-Talbot* in the County of *Roſcommon*.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Moſt Excellent Majeſty. MDCCLXVI.

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AN

ACT

FOR

Making a Turnpike Road from the Town of *Athlone* in the County of *Roſcommon*, to the Bridge of *Balliforan* on the River *Suck*, and from *Athlone* to the Town of *Mount-Talbot* in the County of *Roſcommon*.

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WHEREAS the High Road leading from the Bridge of Balliforan on the River Suck, which divides the County of Galway from the County of Roſcommon, to the Town of Athlone, and from the Town

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of Mount-Talbot to the ſaid Town of Athlone, are the great Roads through which the Inhabitants of the Towns of Galway, Tuam, and of the Counties of Galway and Mayo, uſually travel to the City of Dublin, and the ſame are greatly out of Repair, and dangerous for Travellers, and cannot in a conſiderable Space of Time be amended, by the ordinary Courſe appointed by the Laws for the Repair of Highways: Wherefore, that the ſaid Roads may be amended with convenient Speed, Be it Enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the moſt Reverend Lord Archbiſhop of Tuam, the Right Honourable Earl of Lowth, Right Honourable Lord Mounteagle, the Honourable Peter Kelly Browne, Eſquire, John French Eſquire of French Park, Thomas Mahon Eſquire, Robert French of Monivae Eſquire, William Talbot Eſquire, John Blakeney Eſquire, John Bingham Eſquire, Henry Bingham, Eſquire, Luke Dillon Eſquire, Arthur French Eſquire, Sir Richard St. George, Dennis Kelly Eſquire, Reverend Dean Ryder, Reverend Dudley Ryder, Robert Waller junior, Eſquire, Roſs Mahon junior, Eſquire, John Mahon Eſquire, Daniel

Daniel Kelly Eſquire, Samuel Simpſon Eſquire, Reverend William Digby, Edmond Nettervill Eſquire, Reverend Jeremy Marſh, Francis Marſh Eſquire, John Blake Eſquire, Anthony French Eſquire, Gregory French Eſquire, Reverend Alexander Seaton, Charles Blakeney Gentleman, Dominick Blake Eſquire, Chriſtopher Bellew Gentleman, Thomas Coleman Gentleman, Martin Darcy Gentleman, Andrew French Gentleman, Simon Blakeney Eſquire, Peter Kelly Gentleman, John Farrell Gentleman, Thomas Liſter Grange Eſquire, Mark Browne Eſquire, Darcy French Eſquire, Frederick French Gentleman, Bernard Rochfort Gentleman, Dominick Bellew Gentleman, Michael Bellew Gentleman, Pierce Lynch Gentleman, may be, and they are hereby nominated and appointed Truſtees of the ſaid Roads, and the Survivors of them.

And be it Enacted by the Authority aforeſaid, That they, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall authorize and appoint, ſhall and may erect, or cauſe to be erected, One or more Gate or Gates, Turnpike or Turnpikes, in, upon, or acroſs any Part or Parts of the ſaid Roads, and alſo a Toll-Houſe or Toll-

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Houſes, and there ſhall receive and take the Tolls and Duties following, before any Horſe, Mare, Mule, Gelding, Cattle, Coach, Berlin, Chariot, Calaſh, Chaiſe, Chair, Waggon, Cart, Car, or other Carriage, ſhall be permitted to paſs through the ſame (that is to ſay) for every Coach, Chariot, Berlin, Calaſh, Chaiſe, or Chair, drawn by Six Horſes, Geldings, or Mares, One Shilling and Six Pence; for every Coach, Chariot, Berlin, Calaſh, Chaiſe, or Chair, drawn by a leſſer Number of Horſes, Mares, or Geldings, than Six, and more than Two, One Shilling; for every Coach, Chariot, Berlin, Chaiſe, or Chair, drawn with Two Horſes, Mares, or Geldings, Six Pence; for every Waggon, Wain, or Cart with Four Wheels, Five Shillings; for every Waggon, Wain, or Cart with Two Wheels, drawn by more than Two Horſes, Mares, Geldings, Mules, or Oxen, Three Shillings; for every Cart, Waggon, or Car, drawn with Two Horſes, Mares, Geldings, Mules, or Oxen, Two Shillings; for every Carriage called a Chair or Chaiſe, drawn by One Horſe, Mare, or Gelding, Three Pence; for every Cart or other Carriage drawn by One Horſe, the Wheels of which Car are three Inches broad, Two Pence, but if the

Wheels

Wheels be a leſſer Gauge, Four Pence; for every other Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, One Penny; for every Drove of Oxen, Colts, or Neat Cattle, the Sum of Ten Pence per Score, and ſo in Proportion for any greater or leſſer Number; for every Drove of Hoggs, Calves, Sheep, or Lambs, the Sum of Five Pence per Score, and ſo in Proportion for any greater or leſſer Number; which ſaid reſpective Sum or Sums ſhall be demanded and taken in the Name of, or as a Toll or Duty, and the Money ſo to be raiſed as aforeſaid, is and ſhall hereby be veſted in the ſaid Truſtees, and ſhall be applied and diſpoſed of for the Uſes, Intents, and Purpoſes herein after mentioned; and the ſaid Truſtees, or any Five or more of them, are hereby impowered by themſelves, or any Perſon or Perſons by them, or any Five or more of them, under their Hands and Seals thereunto authorized, to levy the Toll or Duty hereby required to be paid, upon any Perſon or Perſons who ſhall, after Demand made thereof, neglect or refuſe to pay the ſame, by Diſtreſs of any Horſe or Horſes, or other Cattle or Goods, upon which ſuch Toll or Duty is by this Act impoſed, or upon the Goods and Chattles

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of such Person or Persons who ought to pay the same, and may detain and keep the same till such Toll or Duty, with the reasonable Charges of such Distraining or Keeping, shall be paid; and it shall and may be lawful for the Person or Persons so distraining, after the Space of Five Days from the Time of so distraining, to sell the Goods so distrained, returning the Overplus, if any be, upon Demand, to the Owner thereof, after such Toll or Duty, with the reasonable Charges, shall be paid.

And be it Enacted by the Authority aforesaid, that out of the Money arising from the Profits of the several Turnpikes to be erected, the said Trustees, or any Five or more of them, shall pay the Expence of erecting such Turnpike or Turnpikes, or building such Toll-House or Toll-houses, and after in the making of the said Roads, and in keeping the same in good Repair.

And be it Enacted by the Authority aforesaid, That if any Person or Persons occupying any Land near unto any Turnpike to be erected in pursuance of this Act, shall for Gain, or otherwise, permit any Person or Persons to pass through any Gate,

Gate, Paſſage, or Way, with any Coach or other Carriage, or riding or driving any Horſe, Mule, or Aſs, or any Sort of Cattle, to avoid paying the Toll hereby appointed to be paid, and ſhall be thereof convicted upon the Oath of One or more Witneſs or Witneſſes before the ſaid Truſtees, or any Five or more of them, or before one or more Juſtice or Juſtices of the Peace for the County wherein ſuch Offence ſhall be committed, who are hereby impowered to adminiſter ſuch Oath, ſuch Perſon or Perſons ſhall forfeit and pay to the Truſtees authorized to put this Act in Execution, the Sum of Fifteen Shillings, to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or under the Hands and Seals of the ſaid Truſtees, or any Five or more them, or ſuch Juſtice or Juſtices, rendering the Overplus to the Owner (if any be) after the reaſonable Charges being firſt deducted: Provided that the Tolls to be collected at the Gate or Gates to be erected at Balliforan, or on any Part of the Road from Balliforan to the Point of the Road where it meets the Road, leading from Mount Talbot to Athlone, ſhall be applied in repairing, and for the ſole Uſe of the Road leading from

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Balliforan to ſaid Point of the Road, where the Road leading from Mount Talbot falls into it, and in like Manner the Tolls to be collected at Mount Talbot, or at any Gate to be erected between Mount-Talbot and the Point where the Road leading from Mount-Talbot falls into the Balliforan Road, ſhall be applied in repairing the ſaid Road leading from Mount-Talbot to the ſaid Point of Meeting, and all the Tolls to be collected at any Gate to be erected near the Town of Athlone, or at any Gate to be erected between the Town of Athlone and the Point where the Roads leading to Mount-Talbot and Balliforan meet, ſuch Tolls ſhall firſt be applied in repairing and making, and for the Uſe of the Road lying between the Town of Athlone and the Point, where the Roads to Mount-Talbot and Balliforan meet, and after the ſaid Road between Athlone and ſaid Point ſhall be effectually repaired, the Tolls to be collected at any Gate to be erected between Athlone and ſaid Point of meeting, ſhall be divided into two equal Parts, one Moiety to be applied to the Uſe of the Road leading from Balliforan, and the other Moiety to the Uſe of the Road leading to Mount-Talbot, and the ſaid Tolls to be collected in Manner aforeſaid, ſhall in the like Manner be applied reſpectively for the Payment

payment of the Interest of any Money to be borrowed, as herein after mentioned for the Use of said Roads, or any of either of them, or of the Interest thereof, and in the Payment of any Salaries for Officers to be appointed by Virtue of this Act, or any other Expences attending the Repair of the said Roads respectively: Provided that no Gate be erected nearer to the Town of Athlone than West of the Point, where the Road leading from Roscommon joins the Road leading from Balliforan and Mount-Talbot to the Town of Athlone.

And be it Enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, are hereby impowered to erect one or more Gate or Gates, Turnpike or Turnpikes, on the Side of the said Highway or Road, cross any Way or Lane leading out of the said Road, and to build a Toll-House or Toll-Houses, and there to receive and take such Toll as is appointed by this Act to be taken, so as the same does not extend to a double Charge in case of passing the same Day through any other of the Turnpikes to be erected by Virtue of this Act.

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Provided always, That in Caſe there ſhall be more than One Gate or Turnpike in, croſs, or on the Side of the ſaid Highways or Roads intended to be repaired by this Act, no Perſon on having paid the Toll or Duty at the Firſt Gate or Turnpike through which he ſhall paſs, and producing a Note or Ticket, that the ſaid Toll or Duty was paid; which Note or Ticket the Receiver or Receivers is and are hereby required to give gratis, ſhall be liable to pay any Toll or Duty at any other of the ſaid Gates on the ſame Day, and no Perſon paſſing the Place where the Toll or Duty ſhall be paid, who ſhall return the ſame Day upon or with the ſame Horſe or Carriage, ſhall be liable the ſame Day to pay the ſaid Duty more than once.

And foraſmuch as the Money to be collected by ſuch Receipts of the ſaid Toll, will not be at preſent ſufficient for the ſpeedy Repair of the ſaid Road; Be it Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall and may, and are hereby impowered from Time to Time, by Writing under their reſpective Hands and Seals

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to assign over the said separate Toll or Duty hereby granted, or any part thereof, the Costs and Charges whereof to be born and paid out of such separate Toll or Duty, for any Term or Time during the Continuance of this Act, as a Security for any Sum or Sums of Money by them to be borrowed for that Purpose, to such Person or Persons, or their Trustees, who shall advance and lend the same to secure the Payment thereof, with lawful Interest or less, if the same can be so had, which said Money borrowed, shall be applied and disposed of as the Toll or Duty is by this Act to be applied and disposed of, and to no other Use or Purpose whatsoever.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, from Time to Time, during the Continuance of this present Act, to make out Warrants or Orders in Writing under their Hands, directed to the Treasurer or Receiver of the said Tolls, requiring him to pay thereout to the Person or Persons named in such Warrant or Order, their Executors, Administrators or Assigns, the growing In-

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terest of the Sum of Money mentioned in such Warrant or Order, as the same shall from Time to Time become due, until such Time as the principal Sum mentioned in such Warrant or Order shall be paid off and discharged: Provided that no such Warrant or Order shall be for any greater Sum than Fifty Pounds; and that any Person to whom such Warrant or Order shall be given, his or her Executors or Administrators may by Indorsement on such Orders, transfer the Right to the Sum therein mentioned, which Indorsement shall intitle the Indorsee or Assignee, his Executors, Administrators or Assigns, to the sole Benefit of the Sum so transferred; which several Indorsements shall be entered in a Book gratis, to be kept by the Treasurer or Receiver of the Tolls for that Purpose, who shall number all the said Orders arithmetically, beginning from Number One, and the several Tolls aforesaid, shall be applied to the Discharge of the Interest of the Money so to be borrowed, and towards repairing said Road, and all Surplus of said Tolls shall be applied in Discharge of the principal Money so to be borrowed.

And

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And be it Enacted by the Authority aforesaid, That if any Person or Persons whatsoever with any Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waggon, Wain, Cart, Car, or other Carriage, or riding or driving any Horse, Mare, Ass, Mule, or any Sort of Cattle, shall go out of said Road into any By-ways, to avoid the Payment of the Toll by this present Act appointed to be paid, and shall thereof be convicted, upon the Oath of one or more Witness or Witnesses, before the said Trustees, or any Three or more of them, who are hereby impowered and required to administer such Oath, or before One or more Justice or Justices of the Peace for the County where such Offence shall be committed, who are also hereby impowered and required to administer such Oath, such Person or Persons shall forfeit and pay to the Trustees above mentioned, or such Person and Persons as may hereafter become Trustees by Virtue of this present Act, the Sum of Ten Shillings, to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of such Justice of the Peace, or under the Hands and Seals of the said Trustees, or any Three or more

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of them, rendering the Overplus (if any be) to the Owner, the Charges of taking and disposing of the said Goods being first deducted.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to ascertain, describe, and set apart such part and Proportion of the Lands adjoining or contiguous to the said Highways or Roads, or which otherwhile lie most convenient for carrying on and continuing the said Highways or Roads straight and in direct Lines, not being Houses, Gardens, Parks, or Paddocks adjoining Avenues, Plantations, or planted Walks, as they the said Trustees, or any Five or more of them, shall judge necessary for carrying the same straight and in a direct Line as aforesaid; and the said Trustees, or any Five or more of them, are hereby further authorized and impowered to treat and agree with the Owners and others interested in the said Ground to be made use of in carrying the said Road straight as aforesaid, for such Recompence and Satisfaction to be made for the same, out of the Tolls and Duties arising by Virtue of this present Act, as

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the said Trustees, or any five or more of them, shall think fit and reasonable: And in case any person or persons shall neglect or refuse to treat or agree as aforesaid, or through Disability by Nonage, Covertute, or Special Limitation in any Settlement or Settlements, or by Reason of any other Impediment, cannot, or otherwise howsoever shall refuse to dispose of their respective Interests in such Lands, as the said Trustees, or any five or more of them, shall think convenient for the shortening the said Road, in every such Case the said Trustees, or any five or more of them, are hereby authorized and impowered to issue forth their Warrant or Warrants to the Sheriff of the County wherein such Ground doth lie, to impannel and return before the Trustees, or any Five or more of them, at such Time and Place within the said County, as shall be appointed in such Warrant or Warrants, a sufficient Jury, who, upon their Oaths, which Oath the said Trustees, or any Five or more of them, are hereby impowered and required to administer, shall enquire into the true and real Value of such Ground, so to be made use of for the said Highways or Roads; and such Verdicts

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or Inquisitions as shall be so found and returned by the said Jury, ascertaining the Value of such Ground, shall be final and conclusive, as well to the said Trustees, as to the several and respective Proprietors of such Ground, notwithstanding any Disability or Incapacity whatsoever.

And be it Enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, at their first Meeting, or any succeeding Meeting, by Writing under their Hands and Seals, shall and may elect, nominate, and appoint, One or more fit Person or Persons to be Receiver or Receivers, Collector or Collectors of such Money, in the Name of such Toll or Duty, as shall be due and payable by Virtue of this Act, and also One or more fit Person or Persons to be Surveyor or Surveyors, to see the Condition of the said Highways or Roads, and to see that the same be repaired and amended; and that the Money arising and expended by Virtue of this Act, be duly applied, and from Time to Time to remove such Collectors, Receivers, and Surveyors, or any or either of them, as they shall see Occasion, and appoint new ones in case of

Death

Death or any such Removal; and such Person or Persons as is or are liable by this Act to pay the said Toll or Duty, is and are hereby required to pay the same, after the Rates aforesaid, to the said Receiver or Receivers, Collector or Collectors of the said Toll or Duty in that Behalf, from Time to Time appointed as aforesaid, for the receiving the said Toll or Duty; and such Surveyor or Surveyors as aforesaid, shall, upon Oath by the Trustees, or any Five or more of them, or before One or more Justice or Justices of the Peace, residing near the Highways or Roads aforesaid, which Oath such Trustees, or any Five or more of them, or such Justice or Justices, is and are hereby impowered and required to administer, on the First Tuesday in every Month, or oftner, if required, during the Continuance of this Act, give in a true, exact, and perfect Account in Writing, under their respective Hands, of all Money which he and they, and every of them, or any Person employed by them, or any of them, shall to such Time have received, paid, and disbursed, by Virtue of this Act, by reason of their respective Offices, for which no Fee or Reward shall be taken; and in case any

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Money so received shall remain in their, or any of their Hands, the same shall be paid to the said Trustees, or any Five or more of them, or to such Person or Persons as the said Trustees, or any Five or more of them, shall, by any Writing or Writings under their Hands and Seals authorize and impower to receive the same, which shall be disbursed and laid out in amending the said Highways or Roads, according to the true Intent and Meaning of this Act, and not otherwise; and that the said Trustees, or any Five or more of them, to whom such Account shall be given, shall and may, out of the Money arising by the said Toll or Duty, make such Allowance to the said Receiver or Receivers, Collector or Collectors, and the Surveyor and Surveyors, for and in Consideration of his and their Care and Pains respectively taken in the Execution of his and their Office and Offices, and to such other Person or Persons who have been or shall be assisting in and about pointing the said Highways and Roads to be amended and repaired, by advancing and laying out any Money, or otherwise relating thereunto, as to them shall seem good, so as such Allowance or Allow-

Allowances to such Collector or Collectors do not annually exceed Twenty Pounds; and to such Surveyor or Surveyors any Sum not exceeding Two Shillings a Day during such Time or Times as he or they shall be respectively employed in the Repair of the said Roads, and so as such Allowance or Allowances to any other Person or Persons who shall be employed by Virtue of this Act, does not exceed the Sum of Fifteen Pounds yearly to such Person; and in Case the said Receiver or Receivers, Collector or Collectors of the aforesaid Toll or Duty, or any of them, shall not make such Account and Payment unto such Person or Persons, according to the Orders and Directions of the said Trustees, or any Five or more of them as aforesaid, then the Justices of the Peace at any Quarter-Sessions to be held for the County in which such Receiver or Collector has acted, are hereby required and impowered to make Enquiry, and finally determine concerning such Default, and if any Person or Persons shall be convicted thereof by such Justices, who are hereby impowered to administer an Oath to any Witness for the Purpose aforesaid, such Justices shall, upon Conviction, commit the Party or Parties to

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Gaol there to remain without Bail, until he or they shall have made a true Account and Payment as aforesaid.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor, or Overseer or Overseers to be appointed by the said Trustees, or any Five or more of them, and for such person and persons as he or they shall appoint, to dig, raise, gather, take, and carry away Gravel, Furze, Sand, Stones, or other Materials out of any Waste or Common of any Parish, Town, or Village, or Hamlet, in or near which any founderous or ruinous place of the said Highways or Roads do lie, and for Want of sufficient Gravel, Furze, Sand, Stones, or other Materials there, to dig, gather, raise, take and carry away the same out of the Waste or Common of any neighbouring Parish, Town, Village or Hamlet, without paying any Thing for the same, and where there is not sufficient of such Materials in any Commons or Waste Grounds near adjoining, it shall and may be lawful for him and them to dig, raise, and gather the same in the several Grounds of any

any Perſon or Perſons, not being a Garden, Orchard, Yard, or Meadow, planted Walk or Walks, or Avenue to a Houſe, where any ſuch Materials are or may be found, and from Time to Time to carry away ſuch and ſo much thereof, as he or they ſhall judge neceſſary for the repairing and amending the ſaid Highways or Roads, paying ſuch Rate for ſuch Materials to the Owner or Occupier of the Ground from whence the ſame ſhall be digged, raiſed, gathered, and carried away, as the Truſtees appointed, or to be appointed to put this Act in Execution, or any Five or more of them ſhall adjudge reaſonable.

And be it further Enacted by the Authority aforeſaid, That no Perſon ſhall be hereafter elected a Truſtee to put this Act in Execution, who ſhall not actually be in Poſſeſſion of a Freehold Eſtate of the clear yearly Value of Ten Pounds, at the Time of his being elected a Truſtee, or who ſhall not have a perſonal Eſtate of the clear yearly Value of Five hundred Pounds, and that upon any Doubt ariſing of the Value of ſuch Eſtates, the Perſon ſo elected, before he ſhall be admit-

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ted to act as a Truſtee, if any Truſtee ſhall require it, ſhall ſwear that his Eſtate is of the ſaid Value; before Five Truſtees aſſembled at a Board, which Oath the ſaid Truſtees are hereby impowered and authorized to adminiſter.

And for preventing Frauds and Abuſes in the ſaid Tolls and Duties; Be it Enacted by the Authority aforeſaid, That if any Perſon or Perſons having paid the Toll or Duty by this Act granted and made payable, and having ſuch Note or Ticket, Notes or Tickets, as are hereby required, ſhall give or diſpoſe of the ſame to any Perſon or Perſons, in Order to avoid the Payment of the ſaid Toll or Duty, every ſuch Perſon giving, diſpoſing, or offering, and the Perſon receiving ſuch Note or Ticket, Notes or Tickets, and being thereof convicted upon the Oath of One or more Witneſs or Witneſſes before the ſaid Truſtees, or any Five or more of them, or before any One or more Juſtice or Juſtices of the Peace of the County wherein ſuch Offence or Offences ſhall be committed, which Oath the ſaid Truſtees, and the ſaid Juſtice or Juſtices are hereby impowered to adminiſter, ſhall reſpectively

ſpectively forfeit and pay the Sum of Ten Shillings, to be levied, recovered, and diſpoſed of as any other Penalty or Forfeiture is directed to be levied, recovered, and diſpoſed of by this Act.

And be it Enacted by the Authority aforeſaid, That the Tolls or Duties hereby granted, ſhall take Place and have Continuance from and after the ſaid Firſt Day of May, in the Year of our Lord One thouſand ſeven hundred and ſixty ſix, for and during the Term of Sixty one Years.

Provided nevertheleſs, That if at any Time before the Expiration of the ſaid Term of Sixty one Years, all Parts of the ſaid Roads ſhall be ſufficiently amended and repaired, and ſo adjudged by the Majority of the Truſtees appointed or hereafter to be choſen by Virtue of this Act, by an Adjudication made, and Repayment to the ſeveral and reſpective Perſons of all Sums of Money as ſhall have been paid or borrowed, with the lawful Intereſt for the ſame, and the Coſts and Charges thereof, the ſaid Tolls and Duties ſhall ceaſe and determine; any Thing herein contained to the contrary notwithſtanding.

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And be it Enacted by the Authority aforeſaid, That for the continuing of a ſufficient Number of able Perſons to be Truſtees for putting in Execution all and every the Powers in this Act contained, for and during the Continuance thereof, it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, upon the Death of any of the ſaid Truſtees, or their Removal, or refuſing or neglecting to act in the ſaid Truſt, from Time to Time, and at all Times hereafter during the Term aforeſaid, to elect, nominate, and appoint, in the Room of ſuch Truſtee or Truſtees ſo deceaſed, removed, or refuſing to act, another fit and able Perſon, or ſo many more fit and able Perſons, living in the Counties of Galway, Mayo, and Roſcommon, to be joined with the ſaid Truſtees in the Execution of all and every the Power and Powers in them repoſed by Virtue of this Act; and all and every Perſon and Perſons ſo to be choſen Truſtee or Truſtees to join in putting this Act in Execution, as they are herein before qualified to do, ſhall, and are hereby impowered to act, to all Intents and Purpoſes, in as full, large, and ample Manner; as the ſaid Truſtees

Truſtees are by this Act impowered to do, and ſo Toties Quoties as often as Occaſion ſhall require. CHAP. XXV.

And be it Enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be, a Publick Act, and be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

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AN

ACT

FOR

Making a Turnpike Road leading from the Town of *Moneſterevan* in the County of *Kildare*, to the Town of *Portarlington*, and from thence to the Towns of *Mountmellick* and *Roſenallis* in the *Queen*'s County, and from thence to the Town of *Birr* in the *King*'s County, and from thence to *Lahinch* near the River *Shannon* in the County of *Tipperary*.

DUBLIN:

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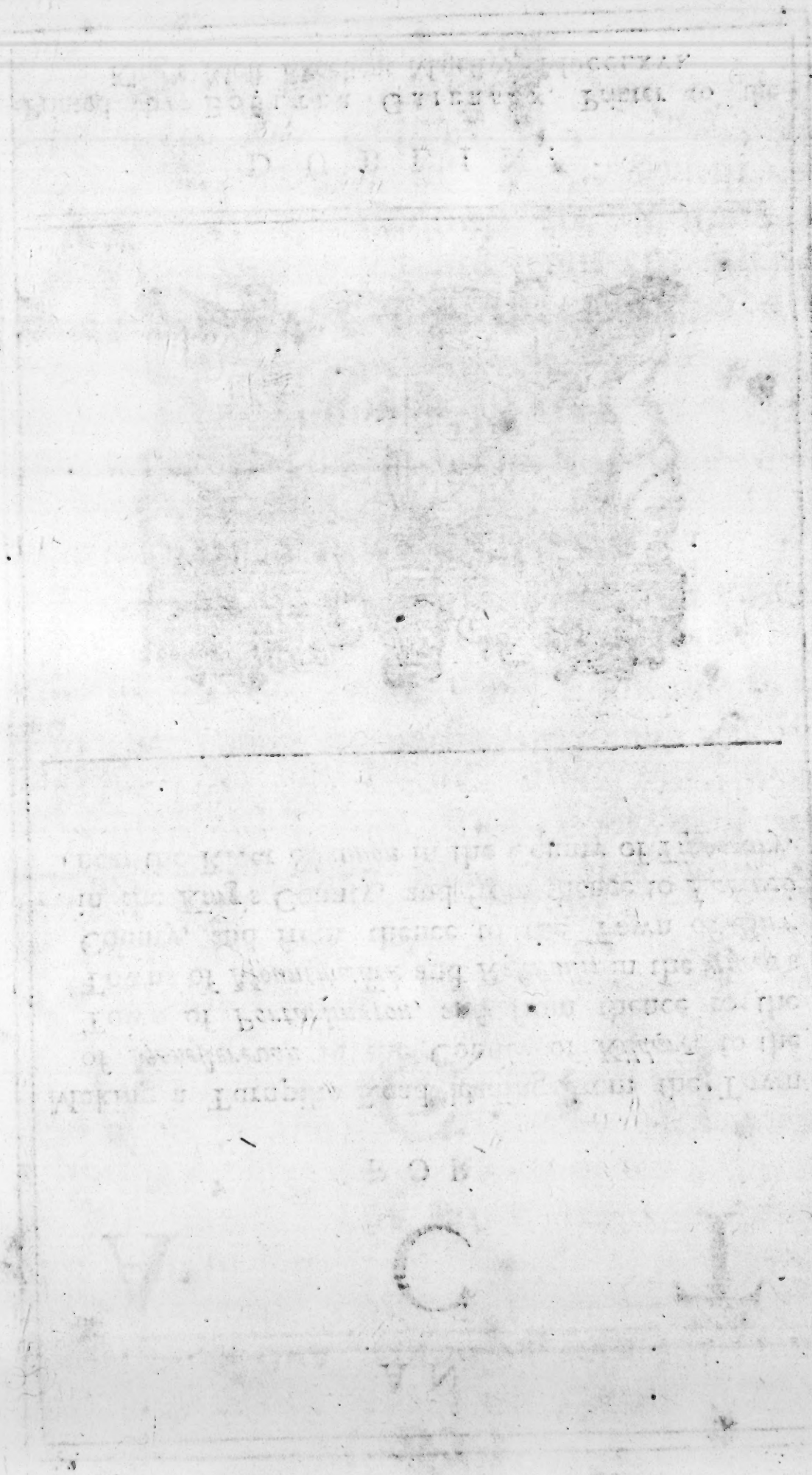

AN

ACT

FOR

Making a Turnpike Road leading from the Town of *Moneſterevan* in the County of *Kildare*, to the Town of *Portarlington*, and from thence to the Towns of *Mountmellick* and *Roſenallis* in the *Queen*'s County, and from thence to the Town of *Birr* in the *King*'s County, and from thence to *Lahinch* near the River *Shannon* in the County of *Tipperary*.

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CHAP. XXVI.

WHEREAS the Highways or Roads leading from the City of Dublin through the Towns of Moneſterevan in the County of Kildare, to the Towns of Portarlington, Mountmellick, and Roſenallis in the Queen's

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County, and from thence to the Town of Birr in the King's County, and from thence to Lahinch near the River Shannon in the County of Tipperary, by reason of the many Windings and Turnings thereof, and of the steep Hills and hollow Ways through which the said Road from Monesterevan to Lahinch passes, and the Deepness of the Soil, and the great Scarcity and want of Gravel convenient or contiguous thereto, are become so ruinous and bad, that in the Winter Season many Parts thereof are impassable for Waggons, Carts, Cars, and Carriages, and very dangerous for Travellers, and cannot, by the ordinary Course appointed by the Laws and Statutes of this Realm, be effectually amended and kept in good Repair: Wherefore, and to the Intent that the said Highways or Roads may with convenient Speed be effectually amended and hereafter kept in good and sufficient Repair, so that all Persons may travel through the same with Safety, be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That for the better Surveying, Ordering, and Amending, and keeping

ing in Repair the ſaid Highways and Roads, it ſhall be in the Power of the Right Honourable the Earl of Drogheda, Lord Digby, Lord Milton, Sir William Parſons Baronet, Sir Kildare Dixon Burrowes, William Henry Dawſon Eſquire, William Pole Eſquire, John Parnell Eſquire, Hunt Walſh Eſquire, Henry Lyons Eſquire, Peter Holmes Eſquire, Sir John Mead Baronet, Honourable Robert Rochford Eſquire, Lancelott Sandes Eſquire, John Dawſon Eſquire, John Digby Eſquire, Duke Tyrrell Eſquire, Jonathan Darby Eſquire, Giffard Nefbitt Eſquire, William Vaughan Eſquire, Warrenford Armſtrong Eſquire, Andrew Armſtrong Eſquire, Edward Palmer Eſquire, Thomas Stannus Eſquire, George Evans Eſquire, Robert Flood Eſquire, Anthony Sharp, Eſquire, Luke Flood Eſquire, Edward Wall Eſquire, Thomas Bernard Eſquire, Thomas Drought Eſquire, Robert Drought Eſquire, Dowdal Pigott Eſquire, Thomas Sabatier Eſquire, Michael Lewis Eſquire, Henry Prittie the elder Eſquire, Henry Prittie the younger Eſquire, John Blumfield Eſquire, William Parſons Eſquire, Archdeacon Synge, Reverend Abraham Downes Clerk, Robert Weldon Eſquire, Henry Leſtrange Eſquire, Thomas Coghlan Eſquire, Robert Mullock Eſquire, Reverend John Mullock, Owen Mooney Eſquire, Edmond Armſtrong Eſquire, Thomas Armſtrong

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ſtrong Eſquire, Terence Magrath Eſquire, Samuel Judge Eſquire, Jonathan Berry Eſquire, Doctor John Keenhan, Euſebius Drought Eſquire, Godfrey Hemſworth Eſquire, George Holmes Eſquire, Bartholomew Boyd Elliott Eſquire, Sir Thomas Dancer, Francis Sadlier Eſquire, John Loyd Eſquire, George Fraſier Eſquire, Reverend Richard Warburton Clerk, Major George Clarges, Reverend Thomas Hemſworth, Reverend Dean Coote, Reverend Guy Atkinſon, Reverend Archdeacon Carey, Lamley Higgins Eſquire, Henry Croaſdaile, Eſquire, Doctor Staunton, Henry Palmer of Birr Gentleman, Thomas Strangeman, Gentleman, Samuel Strangeman Gentleman, George Pillſworth Gentleman, Jonathan Clarke Gentleman, John Humphreys Gentleman, Moſes Pim Gentleman, David Chanders Gentleman, Hawkins Ireland Gentleman, Henry White Gentleman, Gilbert White Gentleman, William Abbot Gentleman, James Jackſon the younger Gentleman, Robert Jackſon Gentleman, Nathaniel Pindor Gentleman, Roger Finch Gentleman, Henry Courtney Gentleman, Henry Palmer junior Gentleman, Joſeph James Gentleman, Nathaniel Hobbart Gentleman, Matthew Hobbart Gentleman, Francis Short Gentleman, William Jeſſop Gentleman, Joſeph Marſhal Gentleman, Benjamin Friend Gentleman, John Friend Gentleman, George Clarke Gentleman, John Clarke

Clarke Gentleman, William Golding ſenioꝛ Gentleman, William Golding junioꝛ Gentleman, David Latimer Gentleman, Charles Melſop Gentleman, George O'Bonhanan Gentleman, Knight Berry Gentleman, Jeremiah Hankes junioꝛ Gentleman, Luke Uſher, John James Gentleman, Thomas Spooner Gentleman, Uliſſes North Eſquire, Lyons Kane Eſquire, John Coates Gentleman, and Thomas Humphreys Gentleman, who are hereby nominated and appointed Truſtees of the ſaid Roads, and the Survivoꝛ and Survivoꝛs of them, that they, oꝛ any ſeven oꝛ moꝛe of them, ſhall authoꝛize and appoint, and ſhall and may erect, oꝛ cauſe to be erected, one oꝛ moꝛe Gate oꝛ Gates, Turnpike oꝛ Turnpikes, in, upon, oꝛ acroſs any Part oꝛ Parts of the ſaid Highways oꝛ Roads, leading from Moneſterevan to Portarlington, and from thence to the Towns of Mountmellick and Roſenallis to the Town of Birr, and from thence to Lahinch afoꝛeſaid, and alſo a Toll-Houſe oꝛ Toll-Houſes, and there ſhall receive and take the Tolls and Duties following, befoꝛe any Hoꝛſe, Mare, oꝛ Gelding, Aſs oꝛ Mule, Cattle, Coach, Berlin, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, Car, oꝛ other Carriage ſhall be permitted to paſs thꝛough

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the same, viz. for every Coach, Berlin, Chariot, Calash, Chaise or Chair, drawn by Six Horses, Geldings, Mares, Mules, or Asses, or more, the Sum of One Shilling and Six Pence; and for every Coach, Berlin, Chariot, Calash, Chaise or Chair, drawn by Four Horses, Geldings, Mares, Mules, or Asses, the Sum of One Shilling; and for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by Two Horses, Geldings, Mares, Mules, or Asses, the Sum of Eight Pence; for every Waggon, Wain, Cart, or Carriage, with Four Wheels, Five Shillings; for every Waggon, Wain, Cart, or Carriage with Two Wheels, drawn by Three or more Horses, Geldings, Mares, Mules, Asses, or Beasts of Draft, One Shilling; for every Waggon, Wain, Cart, or Carriage with Two Wheels, drawn by Two Horses, Geldings, Mares, Mules, Asses, or Beasts of Draft, the Sum of Four Pence; for every Carriage, commonly called a Chair or Chaise, drawn by One Horse, Gelding, Mare, Mule, or Ass, the Sum of Four Pence; for every Cart, Car, or other Carriage, having but One Horse, Mare, Gelding, Mule, Ass, or Beast of Draft, the Sum of Three Halfpence; for every Horse, Mare, Gelding, Ass, or Mule,

Mule, with any Perſon riding thereon, the Sum of Three Halfpence; for every Horſe, Gelding, Mare, Mule, Aſs, or Beaſt of Burthen, not drawing, laden or unladen, One Penny; for every Drove of Oxen, Colts, or neat Cattle, the Sum of One Shilling and eight Pence by the Score, and ſo in Proportion for any greater or leſſer Number; for every Drove of Hogs, Calves, Sheep, Goats, or Lambs, the Sum of Ten Pence by the Score, and ſo in Proportion for any greater or leſſer Number; and for every Carriage whereon ſhall be carried or born any Millſtone, the Sum of Five Shillings; and which ſaid reſpective Sum and Sums of Money ſhall be demanded and taken in the Name of, and as a Toll or Duty, and the Money ſo to be raiſed as aforeſaid, is and ſhall be hereby veſted in the ſaid Truſtees, and the ſame and every Part thereof, ſhall be paid, applied, diſpoſed of, and aſſigned to and for the ſeveral Uſes, Intents, and Purpoſes, and in ſuch Manner as is hereinafter mentioned and directed, and that the ſaid Truſtees, or any Seven or more of them are hereby, themſelves, or any Perſon or Perſons by them, or any Seven or more of them, under their Hands and CHAP. XXVI.

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Seals thereunto authorized, to levy the Tolls and Duties hereby required to be paid upon any Person or Persons, who shall, after Demand made thereof, neglect or Refuse to pay the same, by Distress of any Horse or Horses, or other Cattle or Goods, upon which Tolls or Duties are by this Act imposed, or upon any other of the Goods or Chattles of such Person or Persons who ought to pay the same, and may detain and keep the same, until such Toll or Duty, with the reasonable Charges of such detaining or keeping shall be paid, and that it shall and may be lawful to and for such Person or Persons so distraining, after the Space of five Days after such Distress made and taken, to sell the Goods so distrained, returning the Overplus, if any be, upon Demand to the Owner thereof, after such Toll, Duty, and reasonable Charges for distraining, keeping, and selling the same, shall be deducted and paid.

And be it also Enacted by the Authority aforesaid, That out of the first Money arising from the Profits of the several Turnpikes so to be erected, the said Trustees, or any Seven or more of them, shall first

first pay and discharge the Expence of procuring this Act of Parliament, and of erecting such Turnpike and Turnpikes, and building such Toll-House or Toll-Houses, and from and after such Charges and Expences shall be fully satisfied and paid, that then and from thenceforth the Profits arising, and the Tolls to be collected at any Turnpike or Turnpikes to be erected and set upon the said Roads, or any Part thereof, shall be applied for and towards the Repair of the said Road only, and not elsewhere.

And be it also Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, owning, renting, or occupying any Land near unto any Turnpike to be erected in pursuance of this Act, shall for Gain, Reward, or otherwise, wittingly or willingly permit any Person or Persons whatsoever to pass through any Gate, Passage, or Way, with any Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waggon, Wain, Cart, or Carriage, or riding, or leading, or driving any Horse, Ass, or Mare, or any Sort of Cattle, and be thereof convicted upon Oath before the said Trustees, or any Seven or more of them,

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or before one or more Justice or Justices of the peace for the County wherein such Offence or Offences shall be committed, who are hereby impowered and required to administer such Oath, every person so offending shall forfeit and pay to the Trustees authorized to put this Act in Execution, the Sum of Ten Shillings, to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal, or under the hands and Seals of the said Trustees, or any Seven or more of them, or such Justice or Justices, rendering the Overplus to the Owner, if any be, the Charges in taking and disposing of such Goods being first deducted.

And be it also Enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees or any Seven or more of them, to erect one or more Gate or Gates, Turnpike or Turnpikes on the Side of the said Highways or Roads, across any Lane or Way leading out of the said Road, and to build one or more Toll-house or Toll-houses, and there to receive and take such Toll as is appointed by this Act to be

taken

taken, ſo as the ſame does not extend to a double Charge in caſe of paſſing through any other of the Turnpikes to be erected by Virtue of this Act, between the ſaid Towns of Moneſterevan and the Bridge on or near the Lands of Litter, over a River which divides the Queen's County from the King's County, and from thence between the ſaid Town of Lahinch in the ſaid County of Tipperary, in their reſpective Diviſions as herein after is mentioned.

And be it alſo Enacted by the Authority aforeſaid, That the Road leading from the ſaid Town of Moneſterevan to the ſaid Bridge near the ſaid Lands of Litter, may be erected into a ſeparate and diſtinct Turnpikes, and that a Toll may be collected and receſved on that part of the ſaid Road, ſeparate and diſtinct from the Toll to be collected and received on the other part of the ſaid Road which leads from the ſaid Bridge near Litter, to the ſaid Town of Lahinch; and that from the ſaid Bridge near Litter to the ſaid Town of Lahinch, may be erected into another ſeparate and diſtinct Turnpike, ſo as that a Toll may be collected and received on that part of the ſaid Road, ſeparate and diſtinct from the Toll

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to be collected or received on the other Part of the ſaid Road, which leads from the ſaid Town of Moneſterevan to the ſaid Bridge near Litter.

And be it alſo Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, at their firſt Meeting, or any ſucceeding Meeting, by Writing under their Hands and Seals, ſhall and may elect, nominate, and appoint, One or more fit Perſon or Perſons to be Receiver or Receivers, Collector or Collectors for ſuch Money, in the Name of ſuch Tolls or Duties, as ſhall be due and payable by Virtue of this Act, and alſo One or more fit Perſon or Perſons to be Surveyor or Surveyors, to ſee the Condition of the ſaid Highways or Roads, and to ſee the ſame be repaired and amended, and that the Money ariſing and expended by Virtue of this Act, be duly applied, and from Time to Time to remove ſuch Collectors, Receivers, and Surveyors, or any or either of them, as they ſhall ſee Occaſion, and appoint new ones in caſe of Death or of ſuch Removal; and ſuch Perſon or Perſons as is or are by this Act liable to pay the ſaid Tolls or Duties,

is and are hereby required to pay the same, after the Rates aforesaid, to the said Receiver or Receivers, Collector or Collectors of the said Tolls and Duties in that Behalf, from Time to Time appointed as aforesaid, and the Persons so appointed as aforesaid, for receiving the said Tolls and Duties, and all such Surveyor and Surveyors as aforesaid, shall, upon Oath, if thereunto required, by the said Trustees, or any Seven or more of them, or before One or more Justice or Justices of the Peace, residing near the said Highway or Road aforesaid, which Oath said Trustees, or any Seven or more of them, or such Justice or Justices, is and are hereby impowered and required to administer, on the First Thursday in every Month, if thereunto required, during the Continuance of this Act, give in a true and perfect Account in Writing, under their respective Hands, of all Monies which he and they, and every or any of them, shall to such Time have received, paid, and disbursed, by Virtue of this Act, by reason of their respective Offices, for which Oath no Fee or Reward shall be taken; and in case any Money so received shall remain in their, or any of their Hands, the same shall be

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paid to the ſaid Truſtees, or any Seven or more of them, or to ſuch Perſon or Perſons as the ſaid Truſtees, or any Seven or more of them, ſhall, by any Writing or Writings under their Hands and Seals, authorize and impower to receive the ſame, which ſhall be diſburſed in amending the ſaid Highways or Roads according to the true Intent and Meaning of this Act, and not otherwiſe; and that the ſaid Truſtees, or any Seven or more of them, to whom ſuch Account ſhall be given, ſhall and may, out of the Money ariſing by the ſaid Tolls and Duties make ſuch Allowance to the ſaid Receiver or Receivers, Collector or Collectors, and the Surveyor or Surveyors, for and in Conſideration of his and their Care and Pains reſpectively taken in the Execution of his and their Office and Offices, and to ſuch other Perſon or Perſons who have been or ſhall be aſſiſting in and about procuring the ſaid Highways and Roads to be amended and repaired, by advancing and laying out any Monies, or otherwiſe relating thereto, as to them ſhall ſeem good, ſo as ſuch Allowance or Allowances to ſuch Collector or Collectors do not annually exceed in the Whole the

Sum

Sum of Forty five Pounds Sterling, and to such Surveyor or Surveyors the Sum of Two Shillings and Six Pence per Diem, during such Time or Times as he or they shall respectively be employed in the Repair of the said Roads, and so as such Allowance or Allowances to any other Person or Persons who shall be employed by Virtue of this Act, do not exceed the Sum of Fifteen Pounds yearly to each Person; and in Case the said Receiver or Receivers, Collector or Collectors of the aforesaid Tolls or Duties or any of them, shall not make such Account and Payment unto such Person or Persons, according to the Orders or Directions of such Trustees, or any Seven or more of them as aforesaid, that then the said Justices of the Peace at any Special Sessions or Meeting of them, to be holden for the County in which the said Receiver or Receivers, Collector or Collectors have acted, or been employed, made such Default as aforesaid, shall and are hereby required and impowered to make Enquiry, and finally to determine of and concerning such Default, as well by Confession or Examination upon Oath of the said Parties themselves, as by the Testimony of one or more credi-

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the Witness or Witnesses upon Oath; which Oath they are hereby impowered and required to administer without Fee or Reward; and if any person or persons shall be convicted thereof by such Justices, the said Justices shall, upon such Conviction, commit the party or parties to the common Gaol of the County where such Offence shall be committed, there to remain without Bail or Mainprize, until he or they shall have made a true and perfect Account and payment as aforesaid.

And be it also Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such person or persons as he or they shall appoint, to dig, raise, gather, take, and carry away any Gravel, Furze, Sand, Stones, or other Materials out of any Waste or Common of any Parish, Town, Village, or Hamlet, in or near which any common place of the said high Roads do lie, and for Want of sufficient Gravel, Furze, Sand, Stones, or other Materials there, to dig, gather, raise, take and carry away the same out of the Waste or Common of any neighbouring Parish, Town, Village

laye or Hamlet, without paying any Thing for the same, and where there is not sufficient of such Materials in any Commons or Waste Grounds near adjoining, it shall and may be lawful for them, by Order of the said Trustees, or any Seven or more of them, to dig, raise, and gather the same in the several Grounds of any Person or Persons, not being a Garden, Orchard, Yard, or Meadow, planted Walk or Walks, or Avenues to a House, where any such Materials are or may be found, and from Time to Time to carry away such or so much thereof, as the said Surveyor or Surveyors in their respective Places shall adjudge necessary for the repairing and amending the said Highways or Roads, paying such Rate for such Materials, and for the Damage to the Owner or Occupier of the Ground from whence the same shall be digged, raised, gathered, and carried away, as the Trustees appointed, or to be appointed to put this Act in Execution, or any Seven or more of them shall judge reasonable. And in case any Difference between such Owner or Occupier and the said Trustees, touching the Value of the Materials and Da-

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mage aforeſaid, ſhall ariſe, in every ſuch Caſe the ſaid Truſtees, or any Seven or more of them, are hereby authorized and impowered to iſſue forth their Warrant or Warrants to the Sheriff or Sheriffs of the County wherein ſuch Materials ſhall be digged, raiſed, or gathered, to impannel and return before the ſaid Truſtees, or any Seven or more of them, at ſuch Time and Place within the ſaid County as ſhall be appointed in ſuch Warrant or Warrants, a ſufficient Jury, who, upon their Oaths, which ſaid Oaths the ſaid Truſtees, or any Seven or more of them, are hereby impowered and required to adminiſter, ſhall enquire into the real Damages ſuſtained on that Account, and ſhall adjudge, aſſeſs, and finally determine the ſame: And whereas the ſaid Highway or Road leading from the ſaid Town of Moneſterevan to the ſaid Town of Portarlington, and from thence to the ſaid Towns of Mountmellick, Roſenallis, Birr, and Lahinch, on account of the many Windings and Turnings thereof, and the ſteep Hills over which the ſame paſſes, as the ſame now runs from one Town to the other, may be conſiderably ſhortened, and made much more convenient for Travellers, if the ſame was

was carried in a straight and direct Line where the same is now crooked, from the said Town of Monesterevan to the said Town of Portarlington, and from thence to Mountmellick, through Rosenallis and Birr, to the said Town of Lahinch: Wherefore, and that all just and reasonable Satisfaction may be given for the Land made use of in carrying the said Road straight as aforesaid, be it also Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, to ascertain, describe, and set apart such part and Proportion of the said Land adjoining or contiguous to the said Highway or Road, as they the said Trustees, or any Nine or more of them, shall judge necessary for carrying the said Road from the said Town of Monestereven to the said Town of Portarlington, and from thence to Mountmellick aforesaid, and from thence to Rosenallis, and from thence to Birr, and from thence to Lahinch aforesaid, in a straight Line as aforesaid, provided that no Part of the said Lands so to be set apart be built on, and that the same be not Part of any Garden, Orchard, Yard, planted Walk, or Avenue to a House, or of a Park or Paddock for

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Deer; and that the ſaid Truſtees, or any Twelve or more of them, are hereby authorized and impowered to treat and agree with the Owners and others intereſted in the ſaid Ground to be made uſe of in carrying the ſaid Road from the ſaid Town of Moneſterevan to Portarlington, and from thence to Mountmellick aforeſaid, and from thence to Roſenallis and to Birr, and from thence to Lahinch aforeſaid, in ſtraight and direct Lines as aforeſaid, for ſuch Recompence and Satisfaction to be made for the ſame, out of the Tolls and Duties ariſing by Virtue of this Act, as the ſaid Truſtees, or any Twelve or more of them, ſhall think fit and reaſonable: And in caſe any Perſon or Perſons ſhall refuſe to treat or agree as aforeſaid, or through any Diſability by Nonage, Coverture, or Special Limitation in any Settlement or Settlements, or by Reaſon of any other Impediment, cannot, or otherwiſe howſoever ſhall refuſe to diſpoſe of their reſpective Intereſts in ſuch Lands, as the ſaid Truſtees, or any Twelve or more of them, ſhall think convenient for making the ſaid Road as aforeſaid, in every ſuch Caſe the ſaid Truſtees, or any Twelve or more of them, are hereby au-

thorized

thorized and impowered to iſſue forth their Warrant or Warrants to the Sheriff or Sheriffs for the County wherein ſuch Ground doth lie, to impannel and return before the ſaid Truſtees, or any Twelve or more of them, at ſuch Time and Place within the ſaid County, as ſhall be appointed in ſuch Warrant or Warrants, a ſufficient Jury, who, upon their Oaths, which ſaid Oaths the ſaid Truſtees, or any Twelve or more of them, are hereby impowered and required to adminiſter, ſhall enquire into the true and real Value of ſuch Ground, to be made uſe of for the ſaid Highway or Road; and ſuch Verdicts and Inquiſitions as ſhall be ſo found and returned by the ſaid Jury, as contained the Value of ſuch Ground, ſhall be final and concluſive, as well to the ſaid Truſtees, as to the ſeveral and reſpective Owners and Proprietors of ſuch Ground, notwithſtanding any ſuch Diſability or Incapacity whatſoever.

And be it alſo Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Surveyor and Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint from Time

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to Time, to remove and prevent Annoyances on any Part of the said Highways or Roads hereby intended to be repaired, by removing any Dung, Filth, Ashes, Rubbish, Water-Courses, Sinks, or Drains running unto the said Highways or Roads, and by cleansing any Ditch or Water-Course adjoining to the said Road, or by cutting down, lopping, or topping any Trees or Bushes growing in the said Highways, or in the Hedges or Banks adjacent to the said Highways, and to take and carry away the same, the Owners or Occupiers refusing to cut down such Trees or Bushes, or to remove such other Annoyances for the Space of Eight Days after Notice given in Writing for that Purpose, under the Hands of Seven of the said Trustees, the Charges thereof shall be reimbursed the said Surveyor or Surveyors by such Owners or Occupiers neglecting to cut down the said Trees or Bushes, or remove such other Annoyances as aforesaid, and if after Removal of any such Annoyances, any Person or Persons so offending and being thereof convicted upon Oath, before One or more Justices of the Peace for the said County where such Offence shall be committed, shall, for every such

such Offence forfeit and pay unto the said Trustees the Sum of Ten Shillings, to be levied in Manner aforesaid, and if any Owners or Occupiers of any Water-Courses, Ditch or Ditches adjoining the said Highways or Road, shall neglect to scoure or cleanse such Water-Courses, and to make such Ditches so deep, and in such Manner as the Surveyor or Surveyors shall adjudge proper and convenient after Eight Days Notice shall be given for that Purpose, by such Surveyor or Surveyors to be appointed, or such Person or Persons as shall be appointed by him or them to such Owner or Owners, it shall and may be lawful to and for the Surveyor or Surveyors to set any Man or Men to work to scoure or cleanse, or make the same, and by Warrant from any Seven or more of the said Trustees to levy the Charges thereof upon the Persons, Goods, or Estates of the Owner or Owners, Occupier or Occupiers of such Water-Courses, Ditch or Ditches, by Distress and Sale of his, her, and their Goods and Chattles, rendering the Overplus, if any be, to the said Owner or Occupier, after all Charges paid.

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And forasmuch as the Money ſo to be collected, by the receipt of the ſaid Tolls, will not be ſufficient for the ſpeedy ſhortening and repairing of the ſaid Ways or Roads: Therefore be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Fifteen or more of them, ſhall and may, and are hereby impowered at any Meeting or Board, and not otherwiſe, from Time to Time, during the Continuance of this Act, to make Warrants or Orders in Writing under their Hands, directed to the Treaſurer or Receiver of the ſaid Tolls, thereby requiring him to pay the Perſon named in ſuch Warrant or Order, his or their Executors, Adminiſtrators or Aſſigns, the growing Intereſt of the Sum of Money mentioned in ſuch Warrant or Order, at the Rate of Six Pounds by the Hundred by the Year, or leſs, if the ſame can be ſo had, as the ſame ſhall become due, until ſuch Time as the principal Sum mentioned in ſuch Warrants or Order ſhall be paid off and diſcharged in one intire Payment: Provided that no Warrant or Order to be iſſued to the ſaid Treaſurer or Receiver, by Virtue of this Act, ſhall be for

for any greater Sum than the principal Sum of Fifty Pounds. CHAP. XXVI.

And be it also Enacted by the Authority aforesaid, That all and every Person or Persons to whom such Warrant or Order shall be given, his or their Executors or Administrators may by Indorsements of such Warrants or Orders, transfer the Right and Benefit of the Sums mentioned therein, which Indorsements, upon Notice to the Treasurer or Receiver of the said Tolls, and an Entry or Memorial thereof made in a Book or Books, to be kept for that Purpose, which the said Treasurer or Receiver shall, upon Request, without Charge, Fee, or Reward make accordingly, and shall, upon the Request of any Person or Persons, permit the same to be viewed at reasonable Hours, without Fee or Reward, shall intitle the Indorsee or Assignee, his or her Executors, Administrators or Assigns, to the sole Benefit of the Sum so transferred or assigned, and the said Warrant or Order may in like Manner be assigned and transferred by such Assignee, his or her Executors, or Administrators, and so from Time to Time, and that after such Assignment, it

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ſhall not be in the Power of the Perſon or Perſons who made ſuch Aſſignment or Indorſement, to make void, releaſe or diſcharge the ſaid Aſſignment, or the Sum thereby transferred or aſſigned, or any Part thereof.

And be it alſo Enacted by the Authority aforeſaid, That the reſpective Treaſurer or Receiver of the ſaid Tolls, ſhall arithmetically Number all the Warrants and Orders which ſhall be given or delivered out in purſuance of this Act, as they ſhall be delivered out, commencing with Number One, and ſo continuing the Numbers till the Whole be arithmetically numbered.

And be it alſo Enacted by the Authority aforeſaid, That the ſeveral and reſpective Tolls and Duties hereby made payable for the Turnpikes to be erected as aforeſaid, ſhall be applied and paid to the Diſcharge of the Intereſt of ſuch Sum and Sums of Money as ſhall be hereafter borrowed for the Uſe of the ſaid Road, not exceeding in the Whole the Sum of Six Thouſand Pounds; and that all the Surplus of ſaid Tolls and Duties hereby made

made payable, over and above what ſhall be ſufficient to diſcharge the ſaid Intereſt, and the ſeveral Salaries payable purſuant to this Act, and repair the ſaid Road, and keep the ſame in good Order from Time to Time, ſhall be applied reſpectively towards the Diſcharge of ſuch principal Sum as ſhall hereafter be borrowed as aforeſaid, in Manner hereafter mentioned (that is to ſay) that when and as often as ſuch Surplus received by the ſaid Treaſurer or Receiver, ſhall amount to the Sum of One Hundred Pounds, then the ſaid Treaſurer or Receiver ſhall cauſe the Numbers of all the Warrants or Orders which ſhall be reſpectively iſſued or delivered out in Purſuance of this Act, and the Sum therein contained, to be written on ſeveral Tickets or Pieces of Parchment, and to be rolled and ſealed up, and put into a Box or Urn, and well mixed together, and an indifferent Perſon ſhall publickly, between the Hours of Ten and Twelve in the Forenoon of a Day, to be by the Treaſurer or Receiver publickly advertiſed in the Dublin Gazette, or ſome other Publick Paper, for that Purpoſe, at leaſt Twenty Days before, at the Tholſel of the City of Dublin, draw out of ſuch Box or Urn, as many of the ſaid

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Tickets, or pieces of parchment, as the Sum therein contained shall amount to the said Sum of One Hundred Pounds; and the Person or Persons, the Number of whose Warrants or Orders shall be so drawn, his or their Executors, Administrators, or Assigns, shall, within Twenty Days after the said Warrants or Orders shall be drawn, be paid by the said Treasurer or Receiver the principal Sum to him or them respectively due, with the Interest for the same till paid, and shall, upon Payment thereof, deliver up his and their several and respective Warrants or Orders, to the said Treasurer or Receiver to be cancelled, which is hereby required to be cancelled accordingly; and the Interest, payable by Virtue of such Warrants or Orders, shall cease from the Expiration of Twenty Days, to be computed from the Day of drawing the said Tickets or pieces of Parchment.

Provided always, That in Case there shall be more than One Gate or Turnpike in, across, or on the Side of the said Highways or Roads between the said Town of Monasterevan and the said Bridge over the said River which divides the said

Queen's

Queen's County from the said King's County, no Person or Persons, having paid the Toll or Duty at the first Gate or Turnpike through which such Person or Persons shall pass, and producing a Note or Ticket that the said Toll or Duty was paid, which Note or Ticket the Receiver or Receivers, Collector or Collectors, is and are hereby to give gratis; shall be liable to pay any Toll or Duty at any other of the said Gates or Turnpikes, upon or on the Side of the said Highway or Road, such Person or Persons delivering the said Note or Ticket to the said Receiver or Receivers, Collector or Collectors of the said Toll or Duty at the latter Gate or Turnpike the said Person shall so go out of; and no Person or Persons, having Occasion to pass to the Place or Places where the Toll or Duty is taken, and who shall return the same Day upon or with the same Horse, Mare, or Gelding, Ass, Mule, Cattle, Coach, Chariot, Berlin, Chaise, Chair, Calash, Waggon, Cart, Car, or other Carriage, shall be liable or compellable the same Day to pay the said Toll or Duty more than once on the said Road between Monesterevan and the said Bridge over the said River which divides

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the said Queen's County from the said King's County, and also to pay in like Manner, only between the said Bridge and Lahinch, the same being two separate and distinct Divisions of the said Road, out of each of which the Tolls and Duties aforesaid are hereby made payable as aforesaid.

And be it also Enacted by the Authority aforesaid, That if any Person or Persons having paid the Tolls or Duties by this Act granted and made payable, and having such Note or Ticket, Notes or Tickets, as hereby directed, shall give or dispose of the same to any Person or Persons, in Order to avoid the Payment of the said Toll or Duty, every such Person giving, disposing, or offering, and the Person receiving such Note or Ticket, Notes or Tickets, and being thereof convicted upon Oath before the said Trustees, or any Seven or more of them, or before any One or more Justice or Justices of the Peace for the County wherein such Offence or Offences shall be committed, which Oath the said Trustees, and the said Justice or Justices are hereby impowered to administer, shall respectively forfeit and pay the Sum of Ten Shillings, to be levied, recovered,

vered, and disposed of as any other Penalty or Forfeiture is directed to be levied, recovered, or disposed of by this Act. CHAP. XXVI.

And be it also Enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, may and are hereby impowered from Time to Time, as they shall see convenient and think fit, to compound and agree by the Year, or otherwise, with any of the Inhabitants of any of the Towns through which the said Road runs, or of the Vicinity thereof, to travel through the Turnpike or Turnpikes to be erected in pursuance of this Act, with any Wilch Cobbs, Horse, Mare, Gelding, Mule, or Ass, or with any Coach, Berlin, Calash, Chaise, Chair, Waggon, Cart, Car, or other Carriage, for any Sum or Sums of Money, to be paid quarterly after the said Agreement shall be made: Provided that no Person shall be charged with any of the said Tolls or Duties, who shall carry Stones, Gravel, or other Materials for repairing the said Roads, or Corn in the Straw, Plows, Harrows, or other Implements of Husbandry, in order to the using and repairing of the same in the several Parishes in which said High-

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Ways or Roads, hereby intended to be repaired, do lye; nor shall any Toll or Duty be demanded or taken at any of the Turnpikes to be erected, for any Horse, Mare, or Gelding, Ass, or Mule, or other Cattle going to Water; or for any Post-Horse carrying the Mail or Packet; or for the Horses of Soldiers that are on their March; or for Waggons, Carts, Cars, or other Carriages attending them; or travelling with Vagrants sent by Passes, or with Prisoners transmitted from one Part of this Kingdom to another.

And be it also Enacted by the Authority aforesaid, That the Tolls and Duties hereby granted, shall take Place and have Continuance only from and after the First Day of June in the Year of our Lord One thousand seven hundred and sixty six, and for and during the Term of Sixty one Years.

Provided allways, That if at any Time before the said Expiration of the said Term of Sixty one Years, all Parts of the said Road shall be sufficiently amended and repaired, and so adjudged by the Majority of the Trustees appointed or hereafter

after to be chosen by Virtue of this Act, by an Adjudication under their Hands and Seals, that then from and after such Adjudication made, and Repayment of the Money as shall have been advanced or borrowed, with Interest for the same, and the Costs and Charges thereof, the said Tolls and Duties shall cease and determine; any Thing contained to the contrary notwithstanding. CHAP. XXVI.

And be it also further Enacted by the Authority aforesaid, That for the continuing of a sufficient Number of fit and able Persons to be Trustees for putting in Execution all and every the Powers in this Act contained, for and during the Continuance thereof, it shall and may be lawful to and for the said Trustees, or any Seven or more of them, upon the Death of any of the said Trustees, Removal, or refusing to act in the said Trust, by any Writing or Writings under their Hands and Seals, from Time to Time, and at all Times hereafter during the Term aforesaid, to elect, nominate, and appoint, in the Room of such Trustee or Trustees so deceased, removed, or refusing to act, so many more fit and able Person or

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Persons, living in the said Counties of Kildare, Queen's County, King's County, or County of Tipperary, to be joined with the said Trustees in the Execution of all and every the Power and Powers in them reposed by Virtue of this Act; and all and every Person or Persons so to be chosen Trustee or Trustees to join in putting this Act in Execution, as they are herein before qualified to do, shall and may, and are hereby impowered to act, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees are by this Act impowered to do, and so Toties Quoties as often as Occasion shall be or require.

And be it also Enacted by the Authority aforesaid, That the said Trustees, or any Fifteen or more of them, shall and may, and are hereby impowered from Time to Time by any Agreement or Agreements, Lease or Leases, Demise or Demises in Writing, to be respectively executed by the said respective Trustees, or any Fifteen or more of them respectively under their Hands and Seals to demise or lease, set or let, all or any Part of the said respective Tolls and Turnpikes to such

such Person or Persons as they shall respectively think fit, for such Time and Term, not exceeding Three Years, and for such Rents and yearly Income, as they shall respectively think fit, and that all and every such Rent and yearly Income, shall be applied as herein before is directed and appointed in making and repairing the said respective Roads, and in keeping the same in good Repair from Time to Time, and in Discharge of such principal Sum of Money and Interest as shall hereafter become due by Virtue of this Act, and also that it shall and may be lawful to and for the Person or Persons who shall take any Lease or Leases, Demise or Demises of all or any part of the said respective Tolls and Turnpikes, to take and receive to their own proper Use and Behoof the Tolls and Profits which shall arise from such respective Turnpikes, as they shall respectively so take, they paying the said respective yearly Income to the said respective Trustees, according to their several Agreements; any Thing herein contained to the contrary notwithstanding.

And be it also further Enacted by the Authority aforesaid, That the said Trustees, or any Twenty one or more of them,

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shall meet at the Tholsel of the City of Dublin, on the First Tuesday in the Month of June, in the Year of Our Lord One thousand seven hundred and sixty six, and the said Trustees shall then adjourn themselves, and afterwards meet there or at any other place or places near the said Highways or Roads to be repaired as the said Trustees, or any Seven or more of them shall think proper or convenient, as often as it shall be necessary for putting this Act in Execution.

And be it also Enacted by the Authority aforesaid, That if it shall happen that there shall not appear at any Meeting that shall be appointed to be had or held by the said Trustees, a sufficient Number of Trustees to act at such Meeting, and adjourn to any other Day, then and in such Case the Clerk or Register to said Trustees by Notice in Writing to be affixed at the respective Gates or Turnpikes, at least Twenty one Days before the next Meeting, shall appoint the said Trustees to meet at the House where the Meeting of the said Trustees was last appointed to be held, or at some other convenient House near the said Road.

Provided

Provided that no Person or Persons appointed, or to be appointed Trustees for putting this Act in Execution, shall have or accept of any Place of Profit arising out of, or by Reason of the Toll or Duty by this Act laid or granted, but such Person or Persons shall be incapable, from the Time of accepting and continuing to enjoy such Place of Profit, of acting as a Trustee.

And be it also further Enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be, a Publick Act, and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

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AN

ACT

FOR

The more effectual keeping in Repair the Road leading from the Bridge of *Dundalk* in the County of *Lowth*, through the Lands of *Forkil*, to the Bridge of *Mowhan*, and from thence to the *Newry* Turnpike Road near the Eight Mile Stone in the County of *Armagh*.

DUBLIN:

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AN

ACT

FOR

The more effectual keeping in Repair the Road leading from the Bridge of *Dundalk* in the County of *Lowth*, through the Lands of *Forkil*, to the Bridge of *Mowhan*, and from thence to the *Newry* Turnpike Road near the Eight Mile Stone in the County of *Armagh*.

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WHEREAS the Highway or Road leading from the Bridge of Dundalk in the County of Lowth, through the Lands of Forkil, to the New Bridge of Mowhan, and from thence to the Newry Turnpike Road near the

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Eight Mile Stone in the County of Armagh, being found of general Utility and Advantage to Travellers going through and from the Northern Parts of this Kingdom, and of late very greatly frequented, and by reason of the great Expence which hath already attended the laying out and new making the greater part of the said Road, the same cannot by the ordinary Course appointed by the Laws and Statutes of this Realm be effectually amended and kept in good and sufficient Repair: Wherefore, and to the Intent that the said Highway and Road be hereafter kept in good and sufficient Repair, be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for his Grace the Lord Primate, the Right Honourable James Earl of Clanbrassill, the Right Honourable James Earl of Charlemont, Sir Archibald Acheson, and Sir Capel Molyneux Baronets, William Brownlow, Arthur Acheson, Arthur Cope, and Richard Jackson Esquires, the Reverend Doctor Waller Cope, the Reverend Doctor Benjamin

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Benjamin Barrington, Robert Sibthorp, William Foster, and John Godley Esquires, the Reverend Doctor William Godley, and the Reverend Doctor Hugh Hamilton, the Reverend Doctor Francis Hamilton, the Reverend Thomas Woolsey, John Page Esquire, Michael Obins, William Blacker, John Moore, Henry Richardson, Roger Hall, Maxwell Close, Edward Obre, Arthur Graham, Robert Scott Esquire, Robert Carlisle Esquire, Samuel McGeough, William Ogle, Benjamin Thompson Gentlemen, Thomas Ball, Richard Johnson, Thomas Tipping, and Nicholas Johnson, Francis Obre, Edward Tipping, Meredith Workman, James Bell, Malcam Mc Neale, and Henry Clarke Esquires, together with the Two Knights of the Shire for the County of Lowth, the Two Members for the Borough of Dundalk, and the Bailiff of Dundalk for the Time being, and the Survivor and Survivors of them, shall be and are hereby nominated and appointed Trustees of the said Road; and they, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall authorize and appoint, may erect, or cause to be erected, one or more Gate or Gates, Turnpike or Turnpikes, upon, or across, or on the Side of any Part or Parts of

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the ſaid Highway or Road, ſave and except within One Mile and an half from the ſaid Town of Dundalk and the Town of Forkil reſpectively, and alſo one or more Toll-Houſe or Toll-Houſes, and there ſhall demand, receive and take the Tolls and Duties following, before any Horſe, Mare, Gelding, Aſs or Mule, Cattle, Coach, Berlin, Chariot, Calaſh, Chaiſe, Chair, Waggon, Wain, Cart, or other Carriage ſhall be permitted to paſs through the ſame, viz. for every Coach, Berlin, Chariot, Calaſh, Chaiſe or Chair, drawn by Six Horſes, Geldings, Mares, or Mules, or by more than Six, the Sum of Two Shillings and Six Pence; and for every Coach, Berlin, Chariot, Calaſh, Chaiſe or Chair, drawn by Four Horſes, Geldings, Mares, or Mules, the Sum of One Shilling and Six Pence; and for every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by Two Horſes, Geldings, Mares, or Mules, the Sum of One Shilling; and for every Waggon, Wain, Cart, or Carriage, with Four Wheels, the Breadth thereof being nine Inches at the Sole, and the Streakes thereof ſet on with flat or roſe-headed Nails, drawn by Three or more Horſes, the Sum of Six Pence; and

and for every Waggon, Wain, Cart, or Carriage with Two Wheels, the Breadth thereof being Nine Inches at the Sole, and the Streakes thereof set on with flat or role-headed Nails, drawn by Two or more Horses, Geldings, Mares, Asses, or Mules, the Sum of Three Pence; for every Waggon, Wain, or Cart, with Four Wheels, narrower than Nine Inches, the Sum of Ten Shillings; for every Waggon, or Wain with Two Wheels, narrower than Six Inches, having Two or more Horses, the Sum of Five Shillings; for every Waggon, Wain, or Cart, with two Wheels, drawn by two or more Horses, Mares, Geldings, Asses, or Mules, the Breadth of the Wheels being Six Inches at the Sole, and the Streakes thereof set on with flat or role-headed Nails, the Sum of Four Pence; for every Car, or Cart, having but One Horse, Mare, or Gelding, the Breadth of the Wheels thereof being three Inches at the Sole, and the Streakes thereof set on with flat or role-headed Nails, the Sum of Three Halfpence; for every Car, or Cart with Wheels narrower than three Inches, the Sum of One Shilling at each and every Turnpike Gate on the said Road; and for every Carriage, commonly

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called a Chair or Chaise, drawn by One Horse, Mare, Gelding, or Mule, the Sum of Six Pence; and for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny; and for every Drove of Oxen, Colts, or neat Cattle, the Sum of Twenty Pence by the Score, and so in Proportion for any greater or lesser Number; and for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten Pence by the Score, and so in Proportion for any greater or lesser Number; and for every Carriage whereon shall be carried or born any Millstone, or Millstones, Two Shillings and Six pence; and for every Horse, Mare, Gelding, or other Cattle, Coach, Berlin, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, Car, or other Carriage travelling on Sunday, from Sun-rise to Sunset, double the aforelaid Tolls, so to be paid by them on other Days; which said respective Sum and Sums of Money shall be demanded and taken in the Name of, or as a Toll or Tolls, and the Money thereby to be raised and collected, is and shall be vested in the said Trustees, and the said Tolls, and every Part thereof, shall be applied, and disposed of, and assigned

signed to and for the several Uses, Intents, and Purposes, and in such Manner as herein after is mentioned and declared, and they the said Trustees, or any Five or more of them, are hereby impowered by themselves, or any Person or Persons by them, or any Five or more of them thereunto authorized, to levy the Tolls by this Act laid upon any such Person or Persons, who shall, after Demand thereof made, neglect or refuse to pay the same as aforesaid, by Distress of any Horse, Gelding, Mare, Mule, or other Cattle or Goods, upon which such Tolls are by this Act imposed, or upon any other of the Goods and Chattles of such Person or Persons who ought to pay the same, and may detain and keep the same, until such Tolls with the reasonable Charges of such detaining and keeping shall be paid, and it shall and may be lawful to and for such Person and Persons so distraining, after the Space of Four Days after such Distress made and taken, to sell the said Cattle or Goods so distrained and taken, returning the Overplus, if any there be, upon Demand to the Owner or Owners thereof, after such Tolls, and reasonable Charges for distraining, keep-

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ing, and ſelling the ſame, ſhall be deducted and paid: Provided that no Fiſh-Carriage which ſhall have two or more Wheels, and ſhall be employed only in carrying of Fiſh from any Sea Port, ſhall be liable to pay any of the Tolls impoſed by this Act, but all ſuch Carriages ſhall and may paſs Toll-free on all Parts of the ſaid Road.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, from Time to Time, during the Continuance of this preſent Act, to make out Orders in Writing under their Hands, directed to the Treaſurer or Receiver of the ſaid Tolls, hereby requiring him to pay thereout to the Perſon or Perſons named in any Debenture or Warrant hereafter to be made out, their Executors, Adminiſtrators, and Aſſigns, the growing Intereſt of the ſaid Sum of Money mentioned in ſuch Debenture or Warrant, as the ſame ſhall from Time to Time become due, until ſuch Time as the Principal Sum mentioned in ſuch Debenture or Warrant, ſhall be paid off and diſcharged at one entire Payment:

payment: Provided that no Debenture or Warrant to be issued by Virtue of this Act, shall be for any greater Sum than the principal Sum of Fifty Pounds.

Be it further Enacted by the Authority aforesaid, That all and every Person or persons to whom such Debentures or Warrants shall be given, his, her, or their Executors or Administrators, may by Indorsements on such Debentures or Warrants transfer the Right and Benefit of the Sum mentioned in such Debentures or Warrants; which Indorsements, upon Notice to the Treasurer or Receiver of the said Tolls, and an Entry or Memorial thereof, made in a Book to be kept for that Purpose, which Entry or Memorial the said Treasurer or Receiver shall, upon Request, without Charge, Fee, or Reward make accordingly, and shall, on the like Request, permit to be viewed at all reasonable Hours, without Fee or Reward, shall intitle the Indorsee or Assignee, his, her, and their Executors, Administrators, or Assigns, to the sole Benefit of the Sum so transferred or assigned, and that the said Debenture or Warrants may in like manner be assigned or transferred by

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such Assignee, his, her, or their Executors, or Administrators, and so toties quoties, and that after such Assignment it shall not be in the power of the person or persons who made such Assignment, to make void, release, or discharge the said Assignment, or the Sum thereby transferred or assigned, or any part thereof.

And be it further Enacted by the Authority aforesaid, That the Treasurer or Receiver of the said Tolls shall arithmetically number all the Debentures or Warrants which shall be issued in pursuance of this Act, commencing by Number One, and so continuing the Numbers till the whole be arithmetically numbered.

And be it further Enacted by the Authority aforesaid, That the several Tolls and Duties hereby made payable, shall, after the payment of the Costs and Expences attending the passing of this Act, and collecting the said Tolls, and discharging the Interest arising on the several Debentures or Warrants, be expended in repairing all such parts of the said Road as hath lately been new made, and which shall hereafter be new made thereon,

and

and to no other Use or Purpose whatsoever, except as hereafter to be mentioned. CHAP. XXVII.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, owning, renting, or occupying any Land near unto any Turnpike hereafter to be erected in Pursuance of this Act, shall for any Gain, Reward, or otherwise, willingly permit any Person or Persons whatsoever to pass through any Gate, Passage, or Way, with any Coach, Berlin, Chariot, Calash, Chaise or Chair, Wain, Cart, Carriage, or riding or driving any Horse, Ass, Mule, or any Sort of Cattle, to avoid the Payment of the Toll hereby appointed to be paid, and be thereof convicted upon Oath, before the said Trustees, or any Five or more of them, or before One or more Justice or Justices of the Peace for the County wherein such Offence or Offences shall be committed, who are hereby impowered and required to administer such Oath, every Person permitting such Evasion, and also every Person making Use thereof, shall each of them forfeit and pay to the Trustees authorized to put this Act in Execution, the Sum of Ten Shillings, to be le-

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vied by Diſtreſs and Sale of the Offenders Goods, by Warrant under the Hand and Seal of ſuch Juſtice or Juſtices, or under the Hands and Seals of the ſaid Truſtees, or any Five or more of them, rendering the Overplus (if any be) to the Owner; the Charges in taking and diſpoſing of the ſaid Goods being firſt deducted.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to erect one or more Gate or Gates, Turnpike or Turnpikes, Bar or Bars, Toll-Houſe or Toll-Houſes, on the Side of the ſaid Highways or Roads, acroſs any Lane or Way leading from or out of the ſaid Road, and there to receive and take ſuch Toll as ſhall be appointed by the ſaid Truſtees, or any Five or more of them, ſo that ſaid Toll does not exceed one Half of the Tolls to be paid at any of the Turnpikes to be fixed acroſs ſaid Road, and that the ſaid Tolls be alſo applied as aforeſaid.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or

or any Five or more of them, at their first Meeting, or any succeeding Meeting, by Writing under their Hands and Seals, shall and may elect, nominate, or appoint, one Treasurer or Receiver for the Time being, with a Collector or Collectors, of such Money at one or more Gate or Gates, as shall be due and payable by Virtue of this Act; and the said Trustees, or any Five or more of them, shall, as they may see Occasion, appoint a new Treasurer, Collector, or Collectors; and such Person or Persons as is or are by this Act liable to pay the said Toll or Duties, is and are hereby required to pay the same, after the Rates aforesaid, to the said Treasurer, Collector, or Collectors of the said Toll or Duties, in that Behalf, from Time to Time appointed as aforesaid, and the Person or Persons so appointed as aforesaid, shall upon Oath, if thereto required by the said Trustees, or any Five or more of them, which Oath the said Trustees, or any Five or more of them, are hereby impowered to administer, as often as Occasion may require, during the Continuance of this Act, give in a true, exact, and perfect Account, in Writing under their respective Hands, of all Monies which he

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and they, and every or any of them, ſhall, to ſuch Time, have received, paid, and diſburſed, by Virtue of this Act, by reaſon of their reſpective Offices, for which Oath no Fee or Reward ſhall be taken: And in Caſe any Money ſo received, ſhall remain in their or any of their Hands, the ſame ſhall be paid over to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons, as the ſaid Truſtees, or any Five or more of them, as they are hereby qualified to act, ſhall, by any Writing or Writings under their Hands and Seals, authorize and impower to receive the ſame: And the ſaid Truſtees, or any Five or more of them, to whom ſuch Account ſhall be delivered, ſhall and may, out of the Money ariſing by the ſaid Tolls or Duties, make ſuch Allowances unto the ſaid Treaſurer, Collector, or Collectors for the Time being, for and in Conſideration of his and their Care and Pains reſpectively taken in the Execution of his and their reſpective Office and Offices, and to ſuch other Perſon or Perſons, who have been or ſhall be aſſiſting in and about procuring the Repair of the ſaid Highways and Roads, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem good,

so as such Allowance or Allowances to such Treasurer or Treasurers, do not exceed annually in the Whole the Sum of Twenty Pounds. CHAP. XXVII.

Provided always, That such Treasurer, after his Appointment and before he enters upon the Duty of said Office, shall be obliged to give such Security for the faithful and just Discharge of said Office, as the Trustees named in this Act, or any Five or more of them, shall think proper, and that such Allowance or Allowances, to such Collector or Collectors, do not annually exceed in the Whole, the Sum of Ten Pounds for each respective Collector.

Provided always, That no Person or Persons hereafter to be appointed as Collector or Collectors of Tolls, Overseer or Overseers in repairing the said Road by Virtue of this Act, shall at any Time during his or their being so employed, keep a publick House, or vend, or sell by Retail any Malt or Spirituous Liquor or Liquors of any Kind.

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And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Overseer or Overseers, and such Person or Persons as he or they, or the said Trustees, or any Five or more of them, shall appoint, to dig, raise, gather, and take any Gravel, Shrub-Wood, Furze, Sand, Stones, or other Materials, out of the several Grounds of any Person or Persons, not being Orchard, or Deer-Park, Yard, Planted Walk or Walks, or Avenue to a House, where any such Materials are and may be found, and from Time to Time to carry away such and so much thereof, as the said Overseer or Overseers in their respective Places shall judge necessary, and at all Times most convenient for the repairing and amending the said Highway or Road, paying such Rate for such Materials, and for the Damage to the Owner or Occupier of the Ground from which the same shall be digged, railed, gathered, and carried away, as the Trustees appointed, or to be appointed to put this Act in Execution, or any Five or more of them shall adjudge reasonable; and in Case any such Owner or Occupier of the Grounds where

such

such Materials may be had, or any other Person shall oppose or hinder the Person or Persons so as aforesaid authorized in searching for, raising, digging, or carrying away any Gravel, Shrub-Wood, Furze, Sand, Stones, or other Materials, every such Person or Persons so offending, being thereof convicted upon Oath, before one or more Justice or Justices of the Peace for the said County where such Offence shall be committed, shall for every such Offence forfeit the Sum of Twenty Shillings, to be paid to the said Trustees, and levied by Distress and Sale of the said Offenders Goods and Chattles, in such Manner as the said Penalties herein before mentioned are appointed to be levied.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Overseer or Overseers, and such Person or Persons, as he or they, or the said Trustees, or any Five or more of them shall appoint, from Time to Time to remove and prevent any Annoyances on any Part of the said Highways or Roads hereby intended to be repaired, by Filth, Dung, Ashes, Rubbish,

Water-Courses, Sinks, or Drains running into the said Highway or Road, and to cleanse any Ditch or Water-Course adjoining to the said Road, or to lop or top any Trees or Bushes growing on the said Highways, or in Hedges or Banks adjacent to the said Highways, and to take and carry away the same, if the Owner or Occupier neglects to lop such Trees, Furze, or Bushes, or to remove such other Annoyances for the Space of Ten Days after Notice in Writing given for that Purpose, under the Hands of five or more of the said Trustees, the Charges whereof shall be reimbursed to the said Overseer or Overseers by such Owners or Occupiers neglecting to lop the said Trees or Bushes, or to remove such other Annoyances as aforesaid, to be levied by Warrant under the Hands and Seals of Five or more Trustees, or any Justice of the Peace for the County where such Offence shall be committed, and if after Removal of any such Annoyances, any Person or Persons shall again offend in like Manner, every such Person or Persons so offending, and being thereof convicted upon Oath before any Five or more Trustees, or before one or more Justice or

Justices

Justices of the Peace for the County where such Offence shall be committed, shall for every such Offence forfeit and pay unto the Treasurer or Receiver for the Time being, for the Purpose of said Road, the Sum of Ten Shillings, to be levied in Manner aforesaid, over and above all Charges in removing such Annoyances.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Overseer or Overseers by Order of the said Trustees, or any Five or more of them, to make, or cause to be made Causeways, and to cut and make Drains through any Grounds lying contiguous to the said Road, and to erect Arches of Brick, Timber, or Stone thereupon; and also to widen any of the narrow parts of the said Highway or Roads, to the Breadth of Forty two Feet in the Clear, by opening, clearing, and laying into the said Highways or Roads any Grounds of any Person or Persons lying contiguous to such Highways or Roads; and also to cause Ditches or Trenches to be made in such Manner as such Overseer or Overseers by Order of the said Trustees, or any Five

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or more of them, shall judge necessary, for the better amending and keeping the said Highways or Roads in good Repair; and the said Trustees, or any Five or more of them, are hereby further authorized to treat and agree with the Owner or Occupier of such Ground which shall be so laid in or unto the said Highways or Roads, or through which any such Drain or Drains shall be cut, or on which any such Arch or Arches shall be made, for such Recompence and Satisfaction to be made for the same, as the said Trustees, or any Five or more of them, shall think fit and reasonable; and in case any Person or Persons shall neglect or refuse to treat or agree as aforesaid, or through any Disability by Nonage, Coverture, or special Limitation in any Settlement or Settlements, or by Reason of any other Impediment cannot, or otherwise howsoever shall refuse to dispose of their respective Interests in such Land, so to be laid into the said Highways or Roads, and through which the said new Drain or Drains, Ditch or Ditches shall be cut or made, and on which such Arch or Arches shall be erected, or such Causeways made, in such Manner as the said Trustees, or

any

any Five or more of them, shall think convenient, for the purpose aforesaid, in every such Case, the said Trustees, or any Five or more of them, are hereby Authorized and impowered to issue forth their Warrant or Warrants to the Sheriff of the County wherein such Ground doth lie, to impannel and return before the said Trustees, or any Five or more of them, at such Times and Place within the said County, as shall be appointed by such Warrant or Warrants, provided such Time is not less than twenty Days from the issuing such Warrants, and that Notice thereof be given to the Owner or Tenants of the said Lands, or the person in Possession of the same, within three Days after the issuing the said Warrants, a sufficient Jury, who, upon their Oaths, which said Oaths the said Trustees, or any Five or more of them, are hereby required and impowered to administer, shall enquire into the true and real Value of the said Ground so to be laid into the said Highway or Road, and through which any new Drain or Drains, Ditch or Ditches, shall be cut or made, or on which such Arch or Arches shall be erected, or such Causeways made; and such Verdicts and

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Inquiſitions as ſhall be found and returned by the ſaid Jury, aſcertaining the Value of ſuch Ground, upon ſuch Value, be paid to the Owner of ſaid Lands, or in caſe of refuſing to accept of the ſame, to ſuch Perſon or Perſons as the ſaid Truſtees, or any Five of them, ſhall appoint, for the Uſe of the Owner or Occupier of ſuch Lands, ſhall be final and concluſive as well to the ſaid Truſtees, as to the ſeveral and reſpective Owners and Occupiers of ſuch Ground, and to all Perſons claiming any Eſtate, Right, or Intereſt in the ſame, notwithſtanding ſuch Unwillingneſs, Diſability, and Incapacity whatſoever in the Owners, or Perſons intereſted in the ſaid Grounds; and if any Owner or Occupier of any Water-courſes, Ditch, or Ditches, adjoining to the ſaid Highways or Roads, ſhall neglect or refuſe to ſcour or cleanſe ſuch Water-Courſes, or to make ſuch Ditch or Ditches ſo deep, or in ſuch Manner, as the Overſeer or Overſeers ſhall judge proper and convenient, after ten Days Notice ſhall be given for that Purpoſe, by ſuch Overſeer or Overſeers appointed by Five or more Truſtees, to ſuch Owner or Occupier, it ſhall and may be lawful to and

for

for such Overseer or Overseers to set any Man or Men to scour and cleanse, and make the same, and by Warrant from any five or more of the said Trustees, to levy the Charge thereof upon the Persons, Goods, or Estate of the Owner or Owners, Occupier or Occupiers of such Water-Course, Ditch or Ditches, except through Turf-Bogs, by Distress and Sale of his, her, or their Goods and Chattles, rendering the Overplus, if any be, to the Owner or Occupier, after all Charges paid.

Provided always, and it is the Intent and Meaning of this Act, That if any Person or Persons shall stop or interrupt the running of the Water in any of the Bog-Drains of the said Road, the Offender or Offenders being thereof convicted by Oath of one or more credible Evidences before Five or more Trustees, which Oath they are hereby impowered to administer, shall forfeit and pay for every such Offence, any Sum not exceeding Ten Shillings, to be levied in the same Manner as other Penalties appointed by this Act.

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And forasmuch as the Money so to be collected by such Receipt of the said Tolls, may not prove sufficient for the amending and keeping in Repair the said Road, and for the other Purposes herein before mentioned, Be it Enacted by the Authority aforesaid, That the said Trustees, or any Ten or more of them, shall and may, and are hereby impowered from Time to Time, by Writing under their respective Hands and Seals, to assign over the said Tolls or Duties hereby granted, or any part thereof, the Costs and Charges attending the same to be borne and paid out of such Tolls or Duties, for any Term or Time during the Continuance of this Act, or to issue Warrants or Debentures, not exceeding Fifty Pounds each, as a Security for any Sum or Sums of Money to be by them borrowed, to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance or lend the same, for the Payment thereof, with lawful Interest, or less, if the same can be so had, which said Money, so borrowed, shall be applied and disposed of, as the Tolls or Duties are by this Act to be applied and disposed of as aforesaid; and the true Intent and Meaning

of

of this Act is, that every Toll payable, and for which a Ticket or Tickets shall be delivered at any Gate across said Road, shall, on producing said Ticket or Tickets, excuse the Payment of Toll on the same Day in passing through any Side-Bar or Gate of the said Road, but the Tolls payable at the Side-Bars or Gates, shall not excuse the Payment at any of the Cross Gates.

And for preventing Frauds and Abuses with respect to the said Tolls or Duties, Be it further Enacted by the Authority afore-That if any Person or Persons shall force his or their Way through any of the said Gates, without paying such Toll as by this Act he is bound to pay, or if any Person or Persons, having paid the Toll or Duty by this Act granted and made payable, and having such Ticket or Tickets as hereby directed, shall give or dispose of the same to any other Person or Persons, in order to avoid Payment of the said Toll or Duty, every such Person giving, disposing, or offering, and the Person receiving such Ticket or Tickets, and being thereof convicted upon Oath before the said Trustees, or any Five or more of them, which

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Oath the ſaid Truſtees, or any Five or more of them, are hereby impowered to adminiſter, ſhall each of them reſpectively forfeit and pay the Sum of Ten Shillings; to be levied, recovered, and diſpoſed, as any other Penalty or Forfeiture is directed to be levied, recovered, and diſpoſed of by this Act.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, may and are hereby impowered from Time to Time, as they ſhall ſee convenient or think fit, to compound or agree by the Year, or otherwiſe, with any Perſon or Perſons uſing to Travel through the Turnpike or Turnpikes erected or to be erected, with any Milch Colts, Horſes, Mares, Geldings, Aſſes, or Mules, or with any Coach, Berlin, Calaſh, Chaiſe, Chair, Waggon, Cart, Car, or other Carriage, for any Sum or Sums of Money, to be paid quarterly from Time to Time after ſuch Agreement ſhall be made: Provided ſaid Compoſition doth not extend to any Perſon or Perſons whoſe Reſidente from ſaid Gate or Gates, now or hereafter to be erected as aforeſaid, ſhall exceed the Diſtance of one Mile Iriſh Plantation Meaſure.

Provided

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Provided also, and it is hereby declared, that no Person shall be charged with any of the Tolls or Duties aforesaid, who shall pass through any of the Turnpikes to be erected by this Act, who shall carry any Quantity of Stones, Gravel, or other Materials for the repairing of said Roads, nor shall any Person or Persons be chargeable with said Toll or Duty, for any Carts or Waggons loaded with Corn in the Straw, carrying of Lime or Lime-Stone, Marl, or other Manure, Culm, Coal, or Turf for the Burning of Lime, or any Implements or Utensils, for repairing the said Road; nor shall any Toll or Duty be demanded or taken at any of the Turnpikes to be erected as aforesaid, for any Post-Horse carrying the Mail or Packet; nor for any Horse or Horses of Soldiers upon their March; or for any Waggons, Carts, Cars, or other Carriages that are attending them; or for any Horses, Waggons, Carts, Cars, or other Carriages travelling with Vagrants sent by Passes, or with Prisoners transmitted from one part of the Kingdom to another.

And be it further Enacted by the Authority aforesaid, That the Tolls and Duties hereby granted, and this present Act,

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shall take place from and after the first Day of June One thousand seven hundred and sixty six, and have Continuance thenceforth for and during the Term of Forty one Years; and that the first Board shall be held, in pursuance of this Act, on the fourth Day of the said Month of June.

Provided nevertheless, That if at any Time before the Expiration of the said Term of Forty one Years, all parts of the said Road shall be sufficiently amended and repaired, and shall be so adjudged by the Majority of the Trustees appointed or hereafter to be chosen by Virtue of this Act, by an Adjudication under their Hands and Seals, that then and from and after such Adjudication made, and Repayment of such Money as shall have been advanced and borrowed, with Interest for the same, and the Costs and Charges thereof, the Tolls and Duties shall cease and determine; any Thing herein contained to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That for the continuing a sufficient Number of fit and able Persons to be Trustees for putting in Execution

tion

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tion all and every the Powers in this Act contained, for and during the Continuance thereof, it shall and may be lawful to and for the said Trustees, or any Five or more of them, upon the Death of any one or more of the said Trustees, or of his or their Removal, or refusing to act in the said Trust, by any Writing or Writings under their Hands and Seals, from Time to Time, and at all Times hereafter during the Time aforesaid, to elect, nominate, and appoint, in the Room of such Trustee or Trustees so deceased, removed, or refusing to act, other fit and able Person or Persons, so as such Person or Persons so to be chosen and elected be Worth in personal Fortune the clear Sum of Four thousand Pounds, or shall have Lands, Tenements, and Hereditaments of the clear yearly Value of Two hundred Pounds in the said Counties of Armagh or Louth.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, and the said Trustees, or any Five or more of them are hereby required to meet once in every

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Year, or as often in every Year, and at such Place or Places upon, or contiguous to the said Road, as the said Trustees, or any Five or more of them shall appoint.

Provided always, that Fifteen Days previous Notice in Writing be posted up on said Gate or Gates of such intended Meeting, in which Notice the Business to be taken into Consideration is to be specified; and the said Trustees at their First Meeting, and all other subsequent Meetings, shall defray their own Charges and Expences.

And be it further Enacted by the Authority aforesaid, That an Act made in the Twenty third Year of the Reign of His late Majesty King George the Second, intituled, An Act for the more effectual amending and keeping in Repair the several Turnpike Roads in this Kingdom, and for the better securing the Creditors of the said Road, and all and every the Powers, Authorities, Articles, Rules, Penalties, and Clauses, except what are hereby altered, shall be of full Force and Effect, and shall continue and be executed and observed by the said Trustees herein before named, and their Successors

Successors, for and during the Continuance of this present Act. CHAP. XXVII.

Provided allways, and be it further Enacted by the Authority aforesaid, That no Person or Persons appointed, or to be appointed by this Act, a Trustee or Trustees for putting this Act in Execution, shall have or accept of any Place of Profit out of the Tolls or Duties hereby granted.

And be it further Enacted by the Authority aforesaid, That if any Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, in every such Case the Action shall be laid in the said County of Armagh, or in the County of Lowth, and not elsewhere, and the Defendant or Defendants in such Action or Actions to be brought, may plead the general Issue, and give this Act, and the special Matter in Evidence at any Tryal to be had thereupon, and that the same was done in pursuance and by Authority of this Act, and if it shall appear so to be done, or that such Action or Actions shall be brought in any other County, that then the Jury shall find for the Defendant or Defendants,

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and upon such Verdict, or if the Plaintiff shall be nonsuited or discontinue his Action after the Defendant or Defendants shall have appeared, or if upon any Demurrer Judgment shall be given against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in any other Case by Law.

And be it further Enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be, a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same.

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AN

ACT

FOR

Shortening, widening, and repairing the Turnpike Road leading from the City of *Dublin* to the Town of *Kildare*; and to explain, amend, and make more effectual, an Act made in the Twentieth Year of His late Majesty's Reign, *intituled*, An Act for making more effectual an Act passed in the Seventh Year of His late Majesty, *intituled*, An Act for making more effectual an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Second, *intituled*, An Act for repairing the Road leading from the Town of *Naas* in the County of *Kildare* to the Town of *Maryborough* in the *Queen*'s County.

DUBLIN:

Printed by BOULTER GRIERSON Printer to the King's Most Excellent Majesty. MDCCLXVI.

AN

ACT

FOR

Shortening, widening, and repairing the Turnpike Road leading from the City of *Dublin* to the Town of *Kildare*; and to explain, amend, and make more effectual an Act made in the Twentieth Year of His late Majesty's Reign, *intituled*, An Act for making more effectual an Act passed in the Seventh Year of His late Majesty, *intituled*, An Act for making more effectual an Act passed in the Fifth Year of the Reign of his late Majesty King *George* the Second, *intituled*, An Act for repairing the Road leading from the Town of *Naas* in the County of *Kildare*, to the Town of *Maryborough* in the *Queen's* County.

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WHEREAS by an Act passed in the Fifth Year of the Reign of His late Majesty King George the Second, intituled, An Act for repairing the Road leading from the Town of *Naas* in

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the County of *Kildare*, to the Town of *Maryborough* in the *Queen*'s County, several Tolls and Duties were granted and made payable for repairing the said Road, which said Act was to commence from the Tenth Day of March in the Year One thousand seven hundred and thirty one, and from thence to continue in Force for the Term of Twenty one Years: And whereas by an Act passed in the Seventh Year of the Reign of His late Majesty King George the Second, for making more effectual the said herein before recited Act, all and every the Powers, Authorities, Articles, Rules, Penalties, and Clauses, therein contained, except what are thereby altered, should be of full Force and Effect, and should continue, and be executed from and after the Expiration of the said Term of Twenty one Years, for and during the further Term of Twenty two Years, and from thence to the End of the then next Session of Parliament: And whereas the Trustees appointed to put the said Act in Execution, having borrowed the Sum of Seven Thousand Pounds on the Credit thereof, and having applied the same, together with the Tolls collected by Virtue of the said last recited Act, in amending the said Road,

but

but the same proving insufficient, either to pay the said Principal Sum of Seven Thousand Pounds so borrowed, or the Interest thereof, or to repair and amend the said Road, leading from the said Town of Naas to the said Town of Maryborough, by reason of the Depth and Nature of the Soil, and the great Scarcity of Materials to repair and amend the same, and the Length and Extent of the said Road, from the said Town of Naas to the said Town of Maryborough could not be repaired and sufficiently amended by the Tolls and Duties made payable by the said Act, without augmenting the same: And whereas by an Act passed in the Twentieth Year of the Reign of His said late Majesty King George the Second, to explain and amend, and make more effectual the said herein last before recited Act, and all and every the Authorities, Powers, Articles, Rules, Penalties, and Clauses therein contained, except what are thereby altered, should be of full Force and Effect, and should continue and be executed, from and after the Expiration of Twenty two Years, for and during the further Term of Forty one Years, and from thence to the End of the then next Session of Parliament, for the

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Intents and Purpoſes in the ſaid Acts, and hereinafter, mentioned; and it was thereby further Enacted, That the Road leading from the ſaid Town of Naas to the meeting of the Three Roads Weſtward to the Town of Kildare, ſhould be erected into a ſeparate and diſtinct Turnpike, and that the Tolls might be collected and received on that Part of the ſaid Road, ſeparate and diſtinct from the Toll to be collected or received on the other Part of the ſaid Road, which leads from the ſaid Meeting of the ſaid Three Roads to the ſaid Town of Maryborough, and that from the Meeting of the ſaid Three Roads to the ſaid Town of Maryborough and the Town of Ballyroan in the Queen's County aforeſaid, might be erected into another ſeparate and diſtinct Turnpike, ſo as that a Toll might be collected and received on that Part of the ſaid Road, ſeparate and diſtinct from the Toll collected or received on the other Part of the ſaid Road, which leads from the ſaid Town of Naas, to the ſaid Meeting of the ſaid Three Roads: And whereas the Truſtees appointed to put the ſaid ſeveral Acts in Execution, have borrowed the Sum of Ten Thouſand Pounds on the Credit thereof, which is ſtill unpaid,

and

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and have applied the same, together with the Tolls collected by Virtue of the said last recited Act, in shortening, repairing, and amending the said Road, yet the same cannot be effectually amended and so kept in Order, nor the said Sum of Ten Thousand Pounds, or any other Sum that shall be hereafter borrowed for the Use of the said Road, repaid, without some other Provision be made for that Purpose; And whereas the Tolls collected by the said Act, have proved insufficient, either to pay the said principal Sum of Ten thousand Pounds so borrowed, or the Interest thereof, or to repair and amend the said Road leading from the said Town of Naas, to the said Towns of Maryborough and Ballyroan: And whereas a great part of the said Road, leading from the said Town of Naas to the said Towns of Maryborough and Ballyroan, which leads from the said Town of Naas to the Town of Kildare, by Reason of the Depth and Nature of the Soil, and of the great Scarcity of Gravel, and the Windings and Turnings of the said Road as it now runs whereby the said Road is lengthened near two Miles to what it would be if struck in a straight

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Line from the ſaid Town of Naas, to the ſaid Town of Kildare, cannot be repaired and ſufficiently amended and kept in Repair by the Tolls and Duties made payable by the ſaid laſt recited Act, the conſtant annual Expence of repairing each and every Perch of the ſaid Road as it now runs, one Perch with another, amounting to upwards of Two Shillings and Six Pence, and which would, after having the ſaid Road finiſhed and made according to the ſtraight Line lately ſtruck out from the ſaid Town of Naas to the ſaid Town of Kildare, be kept in conſtant repair for the Sum of Six Pence per Perch, yearly, the Gravel and Materials for making and keeping in Repair the ſaid Road, according to the ſaid new Line ſo ſtruck out, being for the moſt part contiguous and very convenient thereto, and that therefore it is abſolutely neceſſary, in Order to ſhorten the ſaid Road leading from the ſaid Town of Naas to the ſaid Town of Kildare, according to the ſaid new Line lately ſtruck out for the ſame, and to keep the ſame, and the Remainder of the ſaid Road leading from thence to the ſaid Towns of Maryborough and Ballyroan, in good and ſufficient Order and Repair,

Repair, to make the several Provisions herein after mentioned, for the more effectually amending and repairing the said Road, and keeping the same in good Order and Repair, and for securing the Debts now due, or which shall hereafter become due to the said Creditors of the said Road; Be it Enacted by the Kings most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of June One thousand seven hundred and sixty six, the several Trustees named and appointed in and under the said former Acts, and the Trustees herein after named and appointed, or any Seven or more of them, or such Person or Persons as shall be by them, or any Seven or more of them respectively authorized or appointed, shall and may from the Time aforesaid, for and during the Continuance of the said former Acts and this present Act, demand, take, and receive respectively in Lieu of the Tolls and Duties to be collected by Virtue of the said last recited Act, the respective Tolls and Duties following, and to the said several

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tural and respective Persons be thereby respectively impowered to levy the said Tolls by this Act charged and appointed to be collected and received, (that is to say) the said Trustees named by and under the said former Acts, and the Trustees hereby named for making and repairing the said Roads, or any Seven or more of them, or such Person or Persons as shall be by them, or any Seven or more of them, authorized or appointed, shall receive the Tolls and Duties following, before any Horse, Mare, Gelding, Ass or Mule, Cattle, Coach, Berlin, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, Car, or other Carriage shall be permitted to pass through the same, (that is to say) for every Coach, Berlin, Chariot, Calash, Chaise or Chair, drawn by Six Horses, Geldings, Mares, or Mules, Two Shillings; and for every Coach, Berlin, Chariot, Calash, Chaise or Chair, drawn by Four Horses, Mares, or Mules, One Shilling and Six Pence; and for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by Two Horses, Geldings, Mares, Mules, or Asses, Nine Pence; for every Waggon, Wain, Cart, or Carriage, with Four Wheels, Five Shillings; for every

Waggon,

Waggon, Wain, Cart, or Carriage with Two Wheels, drawn by Three or more Horses, Geldings, Mares, Mules, Asses, or Beasts of Draft, Three Shillings; for every Waggon, Wain, Cart, or Carriage, with Two Wheels, drawn by Two Horses, Geldings, Mares, Mules, Asses, or Beasts of Draft, Six Pence; for every Carriage, commonly called a Chair or Chaise, drawn by One Horse, Gelding, Mare, or Mule, Four Pence; for every Cart, Car, or other Carriage, having but One Horse, Gelding, Mare, Mule, Als, or Beast of Burthen, drawing laden or unladen, Three Halfpence; for every Horse, Mare, Gelding, Mule, or Als, with any Person riding thereon, the Sum of Two Pence; for every Horse, Mare, Gelding, Als, or Mule, laden or unladen, and not drawing, nor having any Person riding thereon, the Sum of Three Halfpence; for every Drove of Oxen, Colts, or neat Cattle, Two Shillings and Six Pence by the Score, and so in Proportion for any greater or lesser Number; for every Drove of Calves, Hogs, Sheep, Goats, or Lambs, One Shilling and Three Pence by the Score, and so in Proportion for any greater or lesser Number; and for every Carriage

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wherein shall be carried or born any Millstone, Two Shillings and Six Pence; and that the Trustees herein after in this present Act, and by the said herein before recited Acts named and appointed for making and repairing the said Road, or any Seven or more of them, or such person or persons as shall be by them, or any Seven or more of them authorized and appointed, shall receive the same Tolls and Duties herein before particularly appointed and directed to be paid to the Trustees named and appointed in this present Act as aforesaid, for making and repairing the said Road leading from the said Town of Naas in a straight Line, as the same hath been lately struck out, to the said Town of Kildare, and from thence to the said Towns of Maryborough and Ballyroan or any Seven or more of them, or such Person or Persons as shall be by them, or any Seven or more of them authorized or appointed, before any Horse, Mare, Gelding, Ass, Mule, Cattle, Coach, Berlin, Chariot, Calash, Chaise, Chair, Waggon, Wain, Cart, Car, or other Cartiage, shall be permitted to pass through the same; which said respective Sum and Sums of Money, shall be demanded

demanded and taken respectively in the Name of or as a respective Toll or Tolls, and the Money to be thereby raised and collected, is and shall be respectively vested in the said Trustees, and the same and every Part thereof shall be applied and disposed of, to and for the several Uses, Intents, and Purposes, and in such Manner as by the said former Acts, and this present Act, are particularly mentioned and declared, (that is to say) subject and liable to the Payment of the said Sum of Ten thousand Pounds, and the Interest due and growing due for the same, and of such further Sum and Sums of Money, not exceeding the Sum of Two thousand five hundred Pounds, as hereafter shall or may be borrowed for the Use of the said Road, and towards repairing the same, and such Sum or Sums as shall be collected and raised at the Turnpikes erected, and to be erected as aforesaid, shall be vested in the Trustees for the same, subject and liable to the Payments of the said Sum of Ten thousand Pounds, and Interest due and growing due for the same, for such further Sum and Sums of Money, not exceeding the Sum of Two thousand five hundred Pounds, and the In-

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teteſt thereof, at the Rate of Five Pounds per centum per Annum, as ſhall hereafter be raiſed and boꝛꝛowed foꝛ the Uſe of, and foꝛ and towards repairing the ſame, and that the ſaid reſpective Tolls, and every Part thereof ſhall be applied and diſpoſed of, to and foꝛ the ſeveral reſpective Uſes, Intents, and Purpoſes, and in ſuch Manner as by the ſaid foꝛmer Acts, and herein is mentioned and declared, and that the ſaid Truſtees, oꝛ any Seven oꝛ moꝛe of them, are hereby reſpectively impoweꝛed by themſelves, oꝛ by any Perſon oꝛ Perſons by them thereunto reſpectively authoꝛized as afoꝛeſaid, to levy the ſaid Tolls by this Act charged and appointed to be collected and received.

And be it further Enacted by the Authoꝛity afoꝛeſaid, That the Tolls and Duties hereby granted, ſhall take Place from and after the Firſt Day of June next, and that the ſaid Act, made in the Twentieth Year of the Reign of His late Majeſty King George the Second, and all and every the Powers, Articles, Rules, Penalties, and Clauſes therein contained (except what are hereby altered) ſhall be of full Foꝛce and Effect, and ſhall continue and be

be executed from and after the Expiration of the said Term of Forty one Years, granted by the said last recited Act, for and during the further Term of Forty one Years, and from thence to the End of the then next Session of Parliament, for the Intents and Purposes in the said Acts, and herein after mentioned, as if the Powers and Authorities given by the said Acts, were herein again repeated and re-enacted in the Body of this present Act; any Thing herein contained to the contrary in any wise notwithstanding. CHAP. XXVIII.

And be it further Enacted by the Authority aforesaid, That the Persons herein after named, and none other, shall be the Trustees for putting the said former Acts and this present Act in Execution (that is to say) the Lord Archbishop of Dublin, Marquis of Kildare, Earl of Mt. Rath, Earl of Drogheda, Earl of Besborough, Lord Doneraile, Lord Mornington, Lord Knapton, Bishop of Kildare, Lord Viscount Jocelyn, Bishop of Fernes, Lord Bishop of Ossory, the Right Honourable John Ponsonby Speaker of the House of Commons, the Right Honourable Thomas Conolly, Thomas Knox Esquire, Charles O'Hara Esquire, Wil-

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liam Henry Forteſcue Eſquire, Sir Kildare Dixon Burrowes, Maurice Keating Eſquire, William Henry Dawſon Eſquire, William Pole Eſquire, John Dawſon Eſquire, John Parnell Eſquire, Warner Weſtenra Eſquire, Hunt Walſh Eſquire, John Parnell the younger Eſquire, Dudley Coſby Eſquire, Colonel Richard Fitzgerald Eſquire, Sewell Stubber Eſquire, John Barrington Eſquire, John St. Leger Eſquire, Mervyn Archdaile Eſquire, Ephraim Stannus Eſquire, James Stannus Eſquire, Anderſon Sanderſon Eſquire, Valentine Knightly Chetwood Eſquire, Henry Weſtenra Eſquire, William Deſpard Eſquire, Henry Carter Eſquire, John Burke Eſquire, John Digby Eſquire, John Rochford the elder Eſquire, John Digby the younger Eſquire, Thomas Teniſon Eſquire, Stephen Caſſan Eſquire, Arthur Burdett Eſquire, Lewis Moore Eſquire, Captain Lewis Moore, Walter Weldon Eſquire, Denny Baker Cuffe Eſquire, John Preſton Eſquire, Thomas Eyre Eſquire, Godfrey Wills Eſquire, Anthony Sharp Eſquire, Robert Flood Eſquire, Luke Flood Eſquire, Richard Vickers Eſquire, Thomas Drought Eſquire, John Lyon Eſquire, Edward Brereton Eſquire, William Finn Eſquire, John Bambrick Eſquire, Robert Hartpole Eſquire, Stephen Fitzgerald of Morett Eſquire, Stephen

phen Fitzgerald of Ballythomas **Eſquire**, John Murray Prior **Eſquire**, George Deſpard **Eſquire**, Lancelot Sandes **Eſquire**, Wentworth Thewles **Eſquire**, James Decter **Eſquire**, Alexander Carroll **Eſquire**, George Carr **Eſquire**, Maurice Carr **Eſquire**, Edward Noy **Eſquire**, Richard Wilſon **Eſquire**, Samuel Spencer **Eſquire**, James Spencer **Eſquire**, William Handcock **Eſquire**, Richard Sherlock **Eſquire**, George Evans **Eſquire**, David Latouche **the younger Eſquire**, William Atkinſon **Eſquire**, Joſeph Handcock **Eſquire**, Benjamin Stratford **Eſquire**, Thomas Fitzgerald **Eſquire**, Chriſtopher Comyn Gardiner **Eſquire**, **Reverend Dean** Coote, **Reverend Doctor** George Flood, **Reverend** Frederick Trench, **Reverend** Thomas Jenkin **Clerk**, Charles White **Gentleman**, John Pilkington **Gentleman**, George White **Gentleman**, Samuel White **Gentleman**, Robert Palmer **Gentleman**, William Drought **Gentleman**, Lamly Higgins **Gentleman**, Henry Knight **Gentleman**, Thomas Kelly **Gentleman**, Archibald Adair **Gentleman**, Samuel Strangman **Gentleman**, William Fitzgerald **Gentleman**, Thomas Moſſe **Gentleman**, Arthur Moſſe **Gentleman**, William Brereton **Gentleman**, Joſeph Calcutt **Gentleman**, Martin Delany **Gentleman**, Robert Leſter **Gentleman**, Mark Halfpen **Gentleman**, **the Burgomaſter of**

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Maryborough **for the Time being, the Sovereign of** Kildare **for the Time being,** Luke Dempſey **Gentleman,** William Hetherington **Gentleman,** Henry White **Gentleman,** Gilbert White **Gentleman,** William Adair **Gentleman,** Hawkins Ireland **Gentleman,** Alexander Fitzgerald **of** Straboe **Gentleman,** Stephen Fitzgerald **of** Ballydavis **Gentleman,** Edward Flood **Gentleman, the Reverend** Anthony French, Richard Evans **Gentleman,** Thomas Fitzgerald **Gentleman,** Theobald Medlicott **Gentleman,** Edward Medlicott **Gentleman,** Jonathan Clark **Gentleman,** Michael Lewis **Gentleman,** Thomas Strangman **Gentleman,** Samuel Strangman **junior Gentleman,** Edward Noy **Eſquire,** Richard Nelſon **Eſquire,** John Thewles **Eſquire,** William Dexter **Eſquire,** Euſeby Stratford **Eſquire, together with ſuch other Truſtees as are now ſubſiſting by Virtue of the ſaid laſt Act; and that the ſaid ſeveral Truſtees herein before named, ſhall be veſted with all the Powers and Authorities in the ſaid former Acts, and this preſent Act given and Enacted, to all Intents and Purpoſes, with Powers to erect Turnpikes, and to receive ſeparate and diſtinct Tolls, and to elect, nominate, appoint, and remove Receivers, Collectors, Overſeers, and other Officers, purſuant to the Powers granted in and by the ſaid former Acts.**

And

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And be it Enacted by the Authority aforesaid, That in case any of the said Trustees, named and appointed as aforesaid, who by Virtue of the present Act shall be Trustees, shall happen to die, or refuse to act, that then it shall and may be lawful to and for any Seven or more of the said Trustees, during the Continuance of the said former Acts, and this present Act, to elect and appoint in the Room of such Person or Persons so deceased, or refusing to act, so many more fit and able Persons, who shall be Inhabitants of the Counties of Kildare or Queen's County, or Creditors on the said Road, by Mortgage or Debenture, and no other, to be joined with them respectively in the Execution of the said former Acts, and this present Act; and that all and every Person or Persons so respectively elected and appointed, shall and may be hereby respectively impowered to act, to all Intents and Purposes, as the said Trustees by the said former Acts, or this present Act, are impowered to do, and so from Time to Time, as often as there shall be Occasion respectively.

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Provided allways, That no Gate or Turnpike ſhall be erected by Virtue of this or any former Act, at any Place nearer the Weſt Side of the Town of Kildare, than the Place called the Three Roads, or nearer than One Mile to the Eaſt Side of the ſaid Town of Kildare.

And provided alſo, That no Gate or Turnpike ſhall be erected by Virtue of this or any former Act, at any Place nearer to the Town of Naas than the Town of Jigginſtown, where the Turnpike-Gate is now erected.

And be it alſo Enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, or any Fifteen or more of them, at any Meeting or Board, and not otherwiſe, from Time to Time, during the Continuance of the ſaid former Acts, and this preſent Act, to make out Warrants or Orders in Writing under their Hands, directed to the Treaſurer or Receiver of the ſaid Tolls, thereby requiring him to pay thereout to the Perſon or Perſons named in ſuch Warrant or Order, his or their Executors, Adminiſtrators,

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toys, or Assigns, the growing Interest of the Sum of Money mentioned in such Warrant or Order, as the same shall from Time to Time become due, until such Time as the Principal Sum mentioned in such Warrant or Order, shall be paid off and discharged at one entire Payment: Provided that no Warrant or Order to be issued to the said Treasurer or Receiver by Virtue of this Act, shall be for any greater Sum than the Principal Sum of Fifty Pounds.

And be it also Enacted by the Authority aforesaid, That all and every Person and Persons to whom such Warrants or Orders shall be given or assigned, his or their Executors or Administrators, may by Indorsement of such Warrants or Orders, or Receipts, transfer the Right and Benefit of the Sum mentioned in such Warrants or Orders; which Indorsement upon Notice to the Treasurer or Receiver of the said Tolls, and an Entry or Memorial thereof made in a Book or Books to be kept for that Purpose, which the said Treasurer or Receiver shall, upon Request, without Charge, Fee, or Reward, make accordingly, and shall upon

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on the Request of any Person or Persons, permit the same to be viewed at reasonable Hours, without Fee or Reward, shall intitle the Indorsee or Assignee, his or her Executors, Administrators or Assigns, to the sole Benefit of the Sum so transferred or assigned, and the said Warrant or Order may in like Manner be transferred and assigned by such Assignee, his or her Executors or Administrators, and so from Time to Time, and that after such Assignment it shall not be in the Power of such Person or Persons who made such Assignment or Indorsement to make void, release, and discharge the said Assignment, or the Sum thereby transferred or assigned, or any Part thereof.

And be it also Enacted by the Authority aforesaid, That the respective Treasurer or Receiver of the said Tolls, shall arithmetically number all the Warrants and Orders which shall be given or delivered out in pursuance of this Act, as they shall be delivered out, commencing with Number One, and so continuing the Numbers till the Whole be arithmetically numbered.

And

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And be it also Enacted by the Authority aforesaid, That the several and respective Tolls and Duties hereby made payable, for the Turnpikes erected and to be erected as aforesaid, in their separate and distinct Divisions, shall be applied and paid to the Discharge of the Interest of the said Sum of Ten thousand Pounds, and of such other and further Sum and Sums of Money as shall be hereafter borrowed for the Use of the said Road, and towards repairing the same, not exceeding the said Sum of Two thousand five hundred Pounds, and that all the Surplus of the said Tolls and Duties hereby made payable, over and above what shall be sufficient to discharge the said Interest and the several Salaries payable pursuant to this and the said former Acts, and repair the said Road, and keep the same in good Order and Repair from Time to Time, shall be appointed respectively as aforesaid towards the Discharge of the said principal Sum of Ten thousand Pounds as aforesaid, and towards the Discharge of such further and other Sum as shall hereafter be borrowed as aforesaid, in Manner hereafter mentioned

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(that is to say) That when and as often as such Surplus received by the said Treasurer or Receiver shall amount to the Sum of One hundred Pounds, then the said Treasurer or Receiver shall cause the Number of all the Warrants or Orders which shall be respectively issued or delivered out in pursuance of this Act, and the Sum therein contained, to be written on several Tickets or Pieces of Parchment, and to be rolled and sealed up, and put into a Box or Urn, and well mixed together, and an indifferent person shall publickly between the Hours of Ten and Twelve in the Forenoon of a Day to be by the Treasurer or Receiver publickly advertised in the Dublin Gazette, or some other publick News Paper, for that Purpose, at least Twenty Days before, at the Tholsel of the City of Dublin, draw out of such Box or Urn as many of the said Tickets, or Pieces of Parchment, as the Sum therein contained shall amount to the said Sum of One Hundred Pounds; and the person or persons, the Number of whose Warrants or Orders shall be so drawn, his or their Executors, Administrators, or Assigns, shall, within Twenty Days after

ter the said Warrants or Orders shall be drawn, be paid by the said Treasurer or Receiver the Principal Sum to him or them respectively due, with the Interest for the same till paid, and shall, upon Payment thereof, deliver up his and their several and respective Warrants or Orders, to the said Treasurer or Receiver to be cancelled, which he is hereby required to cancel accordingly; and the Interest, payable by Virtue of such Warrants or Orders, shall cease from the Expiration of Twenty Days, to be accounted from the Day of drawing the said Tickets or Pieces of Parchment.

And whereas the said Highway or Road leading from the said Town of Naas to the said Town of Kildare, may be considerably shortened and made much more convenient for Travellers, if the same was carried in a straight and direct Line, where the same is now crooked, and the annual Expence of repairing the same thereby greatly lessened; wherefore, and that all just and reasonable Satisfaction may be given for the Land made use of in carrying the said Road straight as aforesaid: Be it also Enacted by the

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Authority aforeſaid, that it ſhall and may be lawful to and for the ſaid Truſtees, or any Nine or more of them, to aſcertain, deſcribe, and ſet apart ſuch Part and Proportion of the Land adjoining or contiguous to the ſaid Highway or Road, as they the ſaid Truſtees, or any Nine or more of them ſhall judge neceſſary for carrying the ſaid Road from the ſaid Town of Naas, beginning at or near the Little Bridge at the Weſt End of the ſaid Town of Naas, and from thence in a ſtraight and direct Line to the ſaid Town of Kildare, oppoſite or as near the Market-Houſe thereof, as conveniently can be: Provided that no Part of the ſaid Lands ſo to be ſet apart be built on, and that the ſame be not Part of any Garden, Orchard, Yard, planted Walk or Avenue to a Houſe, or of a Park or Paddock for Deer.

And be it alſo Enacted, That the ſaid Truſtees, or any Twelve or more of them, are hereby impowered to treat and agree with the Owners and others intereſted in the ſaid Ground to be made uſe of in carrying the ſaid Road from the ſaid Town of Naas to the ſaid Town of Kildare,

dare, in a ſtraight and direct Line as aforeſaid, for ſuch Recompence and Satisfaction to be made for the ſame, out of the Tolls and Duties ariſing by Virtue of this Act, as the ſaid Truſtees, or any Twelve or more of them, ſhall think fit and reaſonable; and in caſe any Perſon or Perſons ſhall neglect or refuſe to treat or agree as aforeſaid, or through any Diſability by Nonage, Coverture, or Special Limitation, in any Settlement or Settlements, or by reaſon of any other Impediment, cannot, or otherwiſe howſoever ſhall refuſe to diſpoſe of their Reſpective Intereſts in ſuch Land, as the ſaid Truſtees, or Twelve or more of them, ſhall think convenient, for making the ſaid Road as aforeſaid, that in every ſuch Caſe, the ſaid Truſtees, or any Twelve or more of them, be authorized and impowered to iſſue forth their Warrant or Warrants to the Sheriff or Sheriffs of the ſaid County of Kildare, where ſuch Ground doth lie, to impannel and return before the ſaid Truſtees, or any Twelve or more of them, at ſuch Time and Place within the ſaid County, as ſhall be appointed in ſuch Warrant or Warrants, a ſufficient Jury, who, upon their Oaths, which ſaid Oaths

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the ſaid Truſtees, or any Twelve or more of them, are hereby required and Impowered to adminiſter, ſhall enquire into the true and real Value of ſuch Ground to be made uſe of for the ſaid Highway or Road; and that ſuch Verdicts and Inquiſitions as ſhall be ſo found and returned by the ſaid Jury, aſcertaining the Value of ſuch Ground, ſhall be final and concluſive, as well to the ſaid Truſtees, as to the ſeveral and reſpective Owners and Proprietors of ſuch Ground, notwithſtanding any Difficulty or Incapacity whatſoever.

And be it alſo Enacted by the Authority aforeſaid, That all ſuch Coſts and Charges as have been or ſhall be laid out and expended in and about the procuring and paſſing this preſent Act of Parliament, and ſurveying the ſaid Road, ſhall be firſt diſcharged and paid out of the Money ariſing out of the Toll or Tolls to be collected by Virtue of this preſent Act, together with an Intereſt of Five Pounds per Centum per Annum, till the ſame is paid.

And

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And be it alſo Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Fifteen or more of them, ſhall and may and are hereby impowered from Time to Time, as they ſhall ſee convenient and think fit, to compound or agree by the Year, or otherwiſe, with all and every, or any of the Inhabitants of the ſeveral Towns of Kildare, Ballyrone, and Maryborough, or the Hamlets thereunto belonging, in ſuch Manner as by the ſaid former recited Acts the ſaid Truſtees, or any Number of them, were authorized or impowered to do or compound.

And be it alſo Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Eleven or more of them reſpectively, by any Agreement or Agreements, Leaſe or Leaſes, Demiſe or Demiſes in Writing, to be reſpectively executed by the ſaid reſpective Truſtees, or any Eleven or more of them reſpectively, under their Hands and Seals, to demiſe or leaſe, ſet, or let, all or any Part of the ſaid reſpective Tolls and Turnpikes, to ſuch Perſon or Perſons as they ſhall reſpectively think fit, for ſuch

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Time and Term, not exceeding three Years, and for such Rents or yearly Income as they shall respectively think fit; and that all and every such Rent and yearly Income shall be applied as herein before, and in the before mentioned Acts is directed and appointed, in making and repairing the said respective Roads, and keeping the same in good Repair from Time to Time, and in Discharge of such Principal Sums of Money and Interest as are now due, and hereafter shall respectively become due, by Virtue of the said former Acts, and this present Act; and also that it shall and may be lawful to and for all and every Person or Persons who shall take any Lease or Leases, Demise or Demises of all or any Part of the said respective Tolls and Turnpikes, to take and receive to their own proper Use and Behoof, the Tolls and Profits which shall arise from such respective Turnpikes, as they shall respectively so take, they paying the said respective Rents or yearly Income to the said respective Trustees, according to their several Agreements; any Thing herein, or in the said former Acts contained, to the contrary notwithstanding.

Provided

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Provided allways, and be it also further Enacted by the Authority aforesaid, That if at any Time before the Expiration of the said Additional Term of Forty one Years hereby granted, the Highway as aforesaid shall be sufficiently amended and repaired, and shall be so respectively adjudged by the Justices of the Peace for the County of Kildare and Queen's County, at their Quarter-Sessions to be holden respectively for the said Counties, that then, from and after such Adjudication made, and Repayment made of all such Monies as have been or shall be borrowed upon the Credit of the said former Acts, or this present Act, with the Interest thereof, the Tolls hereby respectively granted and made payable, and all the Powers and Authorities in the said former Acts, and this present Act contained, shall respectively cease and determine; any Thing in the said former Acts, and this present Act contained to the contrary notwithstanding.

And be it also further Enacted by the Authority aforesaid, That the said Trustees, or any Fifteen or more of them, shall and may meet at the Tholsel of the City

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of Dublin aforesaid, on the First Day of June, in the Year of Our Lord One thousand seven hundred and sixty six, and the said Trustees shall and may then adjourn themselves, and afterwards meet there, or at any other Place or Places, for putting this Act in Execution, as by the said former recited Acts is directed and appointed.

And whereas a great Part of the Turnpike Road leading from the City of Dublin to the said Town of Naas, by Reason of the Scarcity of Gravel and the many Windings and Turnings of the said Road as it now stands, and by Reason of the several steep Hills which are thereon, many Parts of the said Road are almost impassable for Carriages, and which said Road by Reason of the said Windings and Turnings is lengthened upwards of Two Miles more than it would be if carried in a straight Line from the said City of Dublin to the said Town of Naas: And whereas the shortening of the said Road by carrying the same straight, according to a Line lately struck thereof, from the City of Dublin to the said Town of Naas, will be much more convenient

nient to Travellers, and by that Means the ſaid ſteep Hills on the ſaid Road, as it now runs, totally avoided, and the annual Expence for repairing the ſame, greatly leſſened; Be it therefore Enacted by the Authority aforeſaid, That from and after the Firſt Day of June next, and as ſoon after as a proper Fund can be procured or obtained, either by Subſcription or otherwiſe for that Purpoſe, that it ſhall and may be lawful for the ſeveral Truſtees appointed by this Act, or any Nine or more of them, together with the Truſtees nominated and appointed in an Act of Parliament made the Fourth Year of the Reign of His preſent Majeſty King George the Third, for ſhortening and repairing the ſaid Turnpike Road leading from the ſaid City of *Dublin* to the ſaid Town of *Naas*, and from thence to *Kilcullen Bridge*, or any Nine or more of them jointly, of which laſt mentioned Act the Truſtees in this preſent Act named, are hereby nominated and appointed Truſtees of the ſaid Turnpike Road leading from the ſaid City of Dublin to the ſaid Town of Naas and Kilcullen Bridge, for this particular Purpoſe only, to aſcertain, deſcribe, and ſet apart ſuch Parts and Propor-

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tions of the Land adjoining or contiguous to the ſaid Highway or Road, as they the ſaid Truſtees named in this preſent Act, and the ſaid Truſtees named in the ſaid Act for repairing the ſaid Turnpike from the ſaid City of Dublin to the ſaid Towns of Naas and Kilcullen Bridge, or any Nine of each of the ſaid Truſtees jointly, ſhall judge neceſſary for carrying the ſaid Road from the ſaid City of Dublin, beginning at the Poor-Houſe, and from thence in a ſtraight Line, ending to the Eaſt of the ſaid Town of Naas: Provided that no part of ſaid Lands, ſo to be ſet apart be built on, and that the ſame be not part of any Garden, Orchard, Yard, planted Walk or Avenue to a Houſe, or part of a Park or Paddock for Deer: And that it be alſo Enacted, That the ſaid Truſtees, or any Nine or more of them, jointly with the ſaid Truſtees named in the ſaid Act, for repairing the ſaid Road from the ſaid City of Dublin to the ſaid Town of Naas and Kilcullen Bridge, or any Nine or more of them, are hereby impowered to treat and agree with the ſeveral Owners and others intereſted in the ſaid Ground to be made uſe of in carrying the ſaid Road from the ſaid City of Dublin

lin to the ſaid Town of Naas, in a ſtraight and direct Line as aforeſaid, for ſuch Recompence and Satisfaction to be made for the ſame, to be paid out of the Fund when the ſame is obtained or procured, for ſhortening the ſaid Road in a ſtraight Line as aforeſaid, veſting the ſaid Truſtees with the ſame Powers herein before mentioned, to be veſted in the ſaid Truſtees by this Act, for removing any Diſability or Impediment from ſhortening the ſaid Road from the ſaid City of Dublin to the ſaid Town of Naas, and aſcertaining the Value of the Land or Ground on which the ſame is to run as aforeſaid; and alſo that it ſhall and may be lawful to and for the ſaid Truſtees named in this Act, and the ſaid Truſtees named in the ſaid Act, ſo paſſed in the Fourth Year of His preſent Majeſty's Reign, or any Nine of each of them, to contract and agree with ſuch Perſon or Perſons as they ſhall think fit, for the making and repairing, and keeping in Repair the ſaid Road ſo leading from the ſaid City of Dublin to the ſaid Town of Naas and Kilcullen Bridge; any thing contained in the ſaid Act ſo paſſed in the Fourth Year of the Reign of His ſaid preſent Majeſty, to the contrary notwithſtanding. CHAP. XXVIII.

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And be it alſo Enacted by the Authority aforeſaid, That this preſent Act ſhall be deemed, adjudged, and taken to be a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all the Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

FINIS.

MVSEVM BRITANNICVM